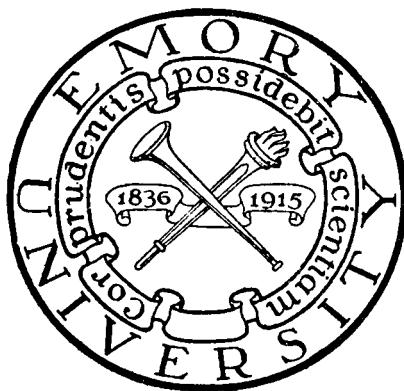






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Journal  
OF THE  
House of Representatives  
OF THE  
STATE OF GEORGIA  
AT THE  
Regular Session  
OF THE  
GENERAL ASSEMBLY

At Atlanta, Wednesday, June 22d, 1910



ATLANTA, GA.  
Chas. P. Byrd, State Printer  
1910



# JOURNAL.

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ATLANTA, GEORGIA,

June 22, 1910.

The House met pursuant to adjournment at 10 o'clock a. m. this day was called to order by the Speaker and opened with prayer by Rev. J. J. Bennett, of Atlanta.

The roll was called and the following members answered to their names:

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Adams               | Brinson of Decatur | Cureton         |
| Alexander of DeKalb | Brinson of Emanuel | Daniel          |
| Alexander of Fulton | Brown of Carroll   | Davis           |
| Allen               | Brown of Fulton    | Pickson         |
| Alley               | Brown of Henry     | Drawdy          |
| Anderson of Bullock | Brown of Murray    | Edmondson       |
| Anderson of Chatham | Burch              | Edwards         |
| Armistead           | Butt               | Elder           |
| Atherton            | Buxton             | Ellis           |
| Atkinson            | Calbeck            | Ellison         |
| Ault                | Cannon             | English         |
| Barksdale           | Carswell           | Evans           |
| Bagley              | Carter             | Fairecloth      |
| Bailey              | Chandler           | Fender          |
| Baker               | Childs             | Field of DeKalb |
| Barrett             | Converse           | Fields of Crisp |
| Beacham             | Cooke              | Ford            |
| Bell                | Cordell            | Fullbright      |
| Berry               | Couch              | Garlington      |
| Booker              | Cowan              | Gastley         |
| Boyd                | Culberson          | Gillis          |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Godley                | Lewis               | Reese             |
| Graddick              | Littleton           | Reid of Campbell  |
| Griffin of Sumter     | Lord                | Rentz             |
| Griffin of Twiggs     | Lovejoy             | Roberts           |
| Guyton                | Meadows of Telfair  | Rogers            |
| Hall                  | Meadows of Toombs   | Sheppard          |
| Hardeman of Jeffs'n   | Miller of Calhoun   | Shirley           |
| Hardman of Jackson    | Miller of Ware      | Simmons           |
| Harrington            | Milikin             | Simpson           |
| Harvey                | Mitchell            | Slade             |
| Hatfield              | Moore               | Smith of Gilmer   |
| Heard                 | Moss                | Smith of Tattnall |
| Helms                 | MacFarland          | Smith of Walton   |
| Henderson of Irwin    | MacIntyre           | Stovall           |
| Henderson of Turner   | McArthur            | Strong            |
| Hendricks             | McCarthy            | Stubbs            |
| Hill                  | McConnell           | Tarver            |
| Holder of Floyd       | McCrory             | Tippins           |
| Holtzelaw             | McCurry             | Tracey            |
| Howell                | McCutchen           | Tuggle            |
| Hubbard               | McElreath           | Turner            |
| Hullender             | McMahan             | Turnipseed        |
| Huie                  | McMichael of Butts  | Upshaw            |
| Johnson of Bartow     | McMichael of Marion | Vinson            |
| Johnson of Jeff Davis | McWhorter           | Waddell           |
| Johnson of Towns      | Olive               | Walters           |
| Joiner                | Parker of Decatur   | Wasden            |
| Jones of Laurens      | Parker of Talbot    | Watkins           |
| Jones of Meriwether   | Paulk               | White of Screven  |
| Jones of Mitchell     | Peacock             | Whiteley          |
| Keith                 | Persons             | Wight of Grady    |
| Kelley                | Pierce              | Williams          |
| Kendrick              | Popo                | Wohlwender        |
| Kennedy               | Porter              | Wood              |
| Kicklighter           | Prie                | Woodliff          |
| Kidd                  | Proctor             | Wright of Floyd   |
| Kirby                 | Reaves              | Wright of Stewart |
| Lawrence              | Redding             | Mr. Speaker       |

Those absent were Messrs:

|              |               |        |
|--------------|---------------|--------|
| Middlebrooks | Reid of Macon | Rosser |
| Minter       |               |        |

The following resolution was read and adopted, to-wit:

By Mr. Sheppard, of Sumter—

A resolution providing that the Senate be notified that the House has convened and is ready for the transaction of business.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

I am directed by the Senate to inform the House that the Senate has convened in regular session and is ready for the transaction of such business as may be brought before it.

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to-wit:

A resolution providing for a committee of two from the Senate and three from the House of Representatives to inform His Excellency, the Governor, that the General Assembly has convened in regular session and is ready for the transaction of business. Committee on part of Senate, under this resolution: Senators Burwell and Price.

The following Senate resolution was read and concurred in, to-wit:

By Mr. Burwell—

A resolution providing for a joint committee to inform the Governor that the General Assembly has convened and is ready for the transaction of business.

The Speaker appointed on part of the House as the committee provided for in the above resolution:

Messrs. Barrett,

Heard,

Kidd.

The following communication was received from the Governor:

ATLANTA, GA., June 21, 1910.

*To the House of Representatives—*

GENTLEMEN: I have to advise you of the election to your honorable body since the last session thereof, of the following members:

Hon. E. B. Martin of the county of Lee, to succeed Hon. C. H. Beazley, resigned.

Hon. Roy D. Stubbs of the county of Putnam, to succeed Hon. A. S. Reid, deceased.

Hon. D. C. Pickett of the county of Terrell, to succeed Hon. M. H. Marshall, Jr., resigned.

Very respectfully,

JOSEPH M. BROWN,

Governor.

The following members-elect came forward and were sworn in as members of the House. The oath of office being administered by Honorable Marcus W. Beck, Associate Justice of the Supreme Court of Georgia.

Hon. E. B. Martin of the county of Lee, to succeed Hon. C. H. Beazley, resigned.

Hon. Roy D. Stubbs of the county of Putnam, to succeed Hon. A. S. Reid, deceased.

Hon. D. C. Pickett of the county of Terrell, to succeed Hon. M. H. Marshall, Jr., resigned.

The following communication was received and the beautiful token—a carnation for each member of the House—were distributed:

ATLANTA, GA., June 22, 1910.

*Mr. Speaker:*

I desire to present through you to the members

and officers of the House of Representatives, my usual token of high esteem.

Very sincerely,

BENJ. M. BLACKBURN.

By unanimous consent the call of the roll of counties was dispensed with and the following new bills were introduced, read the first time and appropriately referred, to-wit:

By Mr. Vinson—

A bill to appropriate \$60,000 to the trustees of the State Sanitarium for the purpose of erecting a hospital for acute diseases, etc.

Referred to Committee on Appropriations.

By Mr. Vinson—

A bill to let the three nearest adult relatives of an insane person waive the ten days' notice of the proceedings of a court of competent jurisdiction.

Referred to Committee on General Judiciary.

By Mr. Vinson—

A bill to appropriate the sum of \$36,300 to the

trustees of the State Sanitarium for the purpose of replacing old boilers and for enlargement of the laundry

Referred to Committee on Appropriations.

By Mr. Vinson—

A bill to appropriate \$25,000 for 1910 and \$35,000 for 1911, for the support and maintenance of the State Sanitarium for the insane.

Referred to Committee on Appropriations.

ATLANTA, GA., June 22, 1910.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Blackburn, which was immediately taken up and read on motion of Mr. Barrett:

*Mr. Speaker:*

I am directed by His Excellency, the Governor, to deliver to the General Assembly a communication in writing.



## MESSAGE.

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STATE OF GEORGIA,  
EXECUTIVE DEPARTMENT,  
ATLANTA.

June 22, 1910.

*To the General Assembly:*

Through the blessings of a beneficent Providence the past twelve months have been replete with prosperity for our people. The husbandman has received a gratifying reward for the fruits of his toil; the laborer in the city has found employment at remunerative wages, and those in other avocations have reaped more than the average allowance of the enjoyments of life.

It is especially gratifying that the asperities which had marred the relationships with each other of many of our citizens have been softened or entirely allayed and that peaceful pleasures are now the happy lot of the generality of Georgians.

It is to be sincerely hoped that this rest from political agitation will long continue and that our people will co-operate in friendly accord in all endeavors to build up our commonwealth and to perpetuate mutual toleration and good will.

In this spirit I commend to you the kindred hope that in our conduct of the people's governmental affairs we may hold ever in mind that the humblest is entitled to the same consideration as the highest, that equality is the standard by which we must measure all and that fair play is the freeman's right.

#### REGISTRATION LAW.

With the desire to protect, therefore, the rights of the people of Georgia, I respectfully call your attention to the serious defects and unnecessary barriers in the registration law passed by your immediate predecessor, and repeat the recommendation made in my first message regarding the provision which closes the books six months before elections.

In addition to the reasons I advanced in that message, I will add others that have been demonstrated to be valid, together with data that have been collected. The operation of the above provision of this law, when taken in connection with the registration and subsequent elections in various municipalities in the State, proves that it directly and flagrantly discriminates against the residents of the country districts and in favor of the residents of the cities and towns. To illustrate this fact I give the following list of municipalities in which elections were held to determine the issuance of bonds for waterworks, electric lighting, street paving, building of school houses and bridges, etc., and for other improvements, or for annexation of suburbs, or for municipal primary elections, and for other purposes:

| CITY OR TOWN  | PURPOSE       | DATE REGISTRATION BOOKS CLOSED | DATE OF ELECTION | TIME INTERVENING |
|---------------|---------------|--------------------------------|------------------|------------------|
| Athens        | Bonds         | Last Year's Registration       | March 2nd        |                  |
| Atlanta       | Bonds         | February 4th                   | February 15th    | 11 Days          |
| Columbus      | Bonds         | Last Year's Registration       | February 10th    |                  |
| Donalsonville | Bonds         | April 30th                     | May 10th         | 9 Days           |
| East Macon    | Bonds         | March 10th                     | March 19th       | 8 Days           |
| Gainesville   | Annexation    | Last Year's Registration       | April 2nd        |                  |
| Grantville    | Bonds         | April 6th                      | April 16th       | 9 Days           |
| LaFayette     | Bonds         | March 16th                     | March 22nd       | 5 Days           |
| Montezuma     | Bonds         | April 22nd                     | May 3rd          | 10 Days          |
| Rome          | Bonds         | February 18th                  | March 1st        | 10 Days          |
| South Macon   | City Election | February 19th                  | March 2nd        | 10 Days          |
| Sparta        | Annexation    | No Registration                | May 3rd          |                  |
| Sylvania      | Bonds         | April 30th                     | May 10th         | 10 Days          |
| Union City    | Bonds         | April 2nd                      | April 9th        | 6 Days           |

It is well known that the avowed purpose in fixing the excessive time limit of six months between the closing of the registration books and the date of the election was to purify the ballot by shutting out the "venal voter," the "hobo," the "ward-heeler," and the like. These nefarious classes were represented as being mainly residents of the large cities. Yet, we find Atlanta closing her registration books only eleven days before voting on the question of binding herself to the payment of \$3,000,000 in bonds, an amount equal to almost half of the public debt of the State. And we find Macon, Columbus, Grantville and Rome closing their registration books from eight to eleven days before the dates of elections of momentous interest to their citizens, while Gainesville and Athens voted without requiring any registration this year.

So, too, at LaFayette the time-limit between the registration and the election was only five days and in the other municipalities named this limit was in each case less than thirty days. Again, it has recently been decided that Atlanta for her election of city officials on Wednesday, December 7th, will not close her registration books until November 28th. Yet, in the same counties wherein all the foregoing cities and towns are located, and in other counties, the residents of the country districts, in elections in which they take part, must register six months before the date of casting the ballot or they are debarred from the power to vote, that power which was once held to be the right of freemen inalienable save by the commission of crime.

Therefore, while it has been the current belief that the "venal voters" and other obnoxious classes, whom this law would debar from the ballot box, are the dwellers in the city slums, or are temporary importations thereto, the law itself, by its operation, says that these "venal voters" and the like are confined almost entirely to the country districts; for, as I have shown, one great city can vote an enormous issue of bonds and another can transform country people into city people—the most radical of changes in our system of government—on a few day's notice, while the countryman must register six months before election day so as to give the registrars sufficient time in which to examine carefully each individual's status, to purge the lists and throw out all who are "venal voters" or "ward-healers" or "hoboes."

I respectfully submit that this inevitable logic of the law is an uncalled for and unjustifiable aspersion on by far the greater portion of the electorate of Georgia; and it places them under a discrimination as needless as it is unmerited.

Yet, the glaring disabilities in the exercise of the voting power which this registration law places upon chiefly the country people of Georgia becomes still more distinctive when we note the following compilation of registration laws prevailing in other States as they bear on the time for closing the lists, viz.:

COMPILATION OF REGISTRATION LAWS OF DIFFERENT  
STATES, SHOWING DATES FOR CLOSING BOOKS:

ALABAMA: Books close three months before the general election, but are reopened on Friday and Saturday before any general, special or primary election for the registration of those who came of age after the books closed or had been unavoidably prevented from registering.

ARKANSAS: No registration is required.

CALIFORNIA: Books are closed forty days before each general election, and twenty days before each primary election.

COLORADO: Books are closed thirty-five days before general elections.

CONNECTICUT: Books are closed on fourth Monday next preceding general elections.

DELAWARE: Books are closed on third Saturday next preceding date of general election.

FLORIDA: Books are closed on second Saturday of the month next preceding the day of election.

GEORGIA: *Books are closed six months before the general election.*

IDAHO: Books are closed on Saturday next preceding date of general election.

ILLINOIS: Books are closed on Tuesday of the week preceding the election.

INDIANA: No registration of voters required.



IOWA: Books are closed on second Saturday next preceding date of election.

KANSAS: Registration required in cities only and books close ten days before election.

KENTUCKY: Registration required in cities and towns only and books are closed thirty days before election, but voters may register by affidavit the day before the election.

LOUISIANA: Registration books closed thirty days before all elections.

MAINE: Books are closed from one to four days before the election in towns and cities and on day of election in country precincts.

MARYLAND: Books are closed three weeks before the election.

MASSACHUSETTS: Books are closed on last Saturday before primary elections, and, in cities, twenty days before general elections, and, in towns, on the last Saturday but one before general elections.

MICHIGAN: Books are closed in townships on Saturdays before elections and in cities one week to ten days before.

MINNESOTA: Books are closed on Tuesdays before day of general elections.

MISSISSIPPI: Books are closed four months before general elections.

MISSOURI: Registration is required in cities only and books close twenty days before elections.

MONTANA: Books closed ten days before elections.

NEBRASKA: No registration required except in cities above 10,000 population and only brief interval between closing of books and elections.

NEVADA: Books are closed just a few days before elections.

NEW HAMPSHIRE: No registration is required.

NEW JERSEY: Books are closed two weeks before elections in cities of more than 35,000 population—on Tuesdays next preceding general elections at other places.

NEW YORK: Personal registration required only in towns and cities of 5,000 or more population. In New York City books are closed 22 days before elections; elsewhere, where personal registration is required, on the third Saturday before elections; where personal registration is not required, on the fourth Saturday next preceding general elections.

NORTH DAKOTA: Books are closed on last Tuesday next preceding general elections.

OHIO: Registration required only in cities on Presidential years alone, excepting cities of 100,000 population.

OKLAHOMA: Permanent registration prevails, but voters may get their names on the lists as late

as the last Saturday preceding elections, general or primary.

OREGON: Books are closed nine days before primary, and twenty-one days before general elections.

PENNSYLVANIA: Registration is required only in cities and books are closed four weeks before primaries, and 35 days before general elections.

RHODE ISLAND: Automatic registration of tax-payers prevails, and books for the registration of non-taxpayers are closed on June 30th each year.

SOUTH CAROLINA: Books are closed thirty days before elections.

SOUTH DAKOTA: Books are closed on last Tuesday next preceding elections.

TENNESSEE: Books are closed twenty days before elections.

TEXAS: Presentation of poll tax receipt entitles one to vote, but payment must be made before February 1 of the year in which elections occurs. Poll tax must be paid in person only in cities of more than 10,000 population. No requirement as to property tax.

UTAH: Books are closed on the first Wednesday prior to the general elections.

VERMONT: Personal registration is not required. Lists are prepared by Boards of Civil Authority thirty days before elections.

VIRGINIA: Books are closed thirty days before elections.

WASHINGTON: Books are closed twenty days before elections, but registration is required only in precincts of more than 250 voting population.

WEST VIRGINIA: Books are closed ten days before elections.

WISCONSIN: Registration required only in cities of more than 2,000 population and books close on Tuesdays next preceding elections.

WYOMING: Books are closed twelve days before elections.

It will be noted that in Texas only is there a limit approximating that required by the law in Georgia, but in Texas the payment of poll tax alone is the prerequisite, whereas in Georgia all taxes must be paid six months in advance of the election and, in addition, the voter must, in person, register six months before the election. In Texas one specific act only is required, and it may be performed by friend, neighbor or agent of the voter, except in cities of more than 10,000 population, where it must be in person, while in Georgia two specific acts are required and one of these must, without exception, be performed by the voter in person.

It is a Constitutional requirement that all taxes must be paid six months before the election in order that the voter may be qualified to exercise the franchise. Is not this a sufficiently drastic requirement,

is it not in itself an adequate safe-guard against "padding" without the additional prerequisite that the voter must go in person to the tax-collector's office, at least six months before the election, and sign the voters' list, without recourse in case sickness, business necessity, absence from the State or even excusable negligence prevents him from so doing? Should not the payment of taxes six months in advance of the election in itself be indicative of the voter's integrity, in itself indicate that he is no "venal voter," no "hobo," no "immigrant," but a good citizen?

In no other State of the Union are such multiplied impediments placed upon the exercise of the most sacred right of the free citizen.

Finally, as proving that the present registration law has inflicted a blow to the white electorate of Georgia which is truly appalling in its magnitude, I call attention to the fact that by the Federal census of 1900, after deducting the non-naturalized foreigners, there were in this State 274,797 white males 21 years of age and upwards.

If during the past decade the population has increased proportionately as rapidly as it did during the previous one, viz: 20 per cent., we can estimate the present number of white males of voting age in Georgia at 329,576.

The reports of the registration in the State under the present law, as published in the daily press, indicate that there are now registered about 212,000 white voters.

Hence, by the operation of this law in effect, even

after making liberal allowance for those made permanently ineligible by the Constitution, it appears that upwards of 100,000 white citizens are debarred from the right to vote in the elections of this year. The restrictions placed in the Reconstruction Constitution of 1868 did not by many thousands so restrict the right of suffrage to the white citizens of Georgia.

It is superfluous to argue that there are not 100,000 "venal voters," "hoboes," "ward-heelers," and other objectionables among the white citizenry of Georgia, as those who contend for existing restrictions would by inference intimate. In several counties where the effect has been most glaring in depriving white citizens of their Constitutional right to vote, negroes sufficient in number to easily hold the balance of power in case of a close division of the whites have qualified.

I hold that the white citizenry of Georgia is honest, intelligent and responsible, and that each unit of it should have available the power to protect his rights by the freeman's weapon, the ballot.

I, therefore, recommend that the limit between the close of the registration books and the date of elections be reduced to thirty days.

The ends of good government demand that the person who makes venal use of the franchise shall be denied the privilege of voting, but because he is per se a voter is no ground upon which to base a suspicion of venality. The law should be aimed at the criminal and not at the honest man. It is not fair to disfranchise possibly 50 good citizens in order to catch one venal voter.



It will, I believe, be admitted that those voters, excepting negroes, at whom stringent regulations are aimed, will be found almost exclusively in the cities. Not that the citizenry of our municipalities is not of a high order, but owing to the thick population election evils may be more easily perpetrated in them than in rural communities. I make the suggestion, therefore, that if discrimination is to be made it be in favor of rather than against the rural voters; that if we must have severe restrictions they be placed upon the cities alone. Reference to memoranda given above will show that in many States that are noted for their progressive legislation with regard to the ballot no registration is required in purely rural communities.

If registration should be required in rural communities, better provision for the convenience of the voters should be made. Registrars should be provided for each militia district, or the tax-collector should be compelled to visit in person or by agent each militia district on some fixed or advertised days before each primary or general election for the purpose of affording each voter this facility without extreme inconvenience to him. It is proper to add that by the census of 1900, 89 per cent. of the population of this State resided in the country, a large proportion of them many miles from the court houses.

#### PROMPT PAYMENT OF TEACHERS.

In my first message to your honorable bodies I also called attention to the propriety of devising some plan for the prompt payment of the school

teachers of the State, and suggested that there be an amendment to the Constitution authorizing the issuance of about \$600,000 of bonds, the proceeds of which to be used to create a permanent loan fund for the payment of teachers' salaries to be returned to this loan fund in December when the taxes are collected.

Parenthetically, let me say that it is not the means but the end which I consider most important. It is not so much a matter of how the teachers shall be paid, but that they should be paid. The State owes it as a duty to those who serve it—most particularly to those who serve the future State by training rising generations—to be in position to meet every obligation when due. Delay in meeting bills is less excusable in the State than in private business.

If the proposed plan is adopted and the State should within a year or two determine by one tax levy to extinguish this entire indebtedness a rate of one mill on the present taxable valuations of property in the State would more than provide the necessary amount. If, therefore, only \$100,000 of this indebtedness was retired each year it will be seen that the annual burden would not be great.

It is fair to state that the plan which I advanced has been criticised, hence, it is in order to call attention to the fact that this plan, if adopted, will inure mainly to the benefit of the teachers in the country districts and the small towns. The teachers in the city schools generally get their salaries promptly through means adopted by the municipality. At-

lanta, for instance, not only pays her teachers monthly, but within the month of February of the current year she voted a bond issue of \$3,000,000, a considerable portion of which was for the building of new school houses. The city's bonded indebtedness was already \$3,995,500.00. This new issue of bonds, therefore, increased her total indebtedness to \$6,995,500.00, or about 6 per cent. on \$115,765,696, the total assessed valuation of her taxable property.

The present bonded debt of the State of Georgia amounts to \$7,034,202.00, which is less than one per cent. on \$725,018,187.00, the total amount of the assessed valuation of her taxable property.

The bonded indebtedness of the other chief cities of the State range from two to nearly six per cent. of the amount of their assessed taxable values, and their tax rates which are uniformly higher than the tax rate of the State are in a large measure levied to pay the salaries of their school teachers promptly, hence it would seem that the people of the cities ought not to object to the plan which requires a small increased burden—and that a temporary one—to secure the prompt payment of the salaries of country school teachers.

Nevertheless, as I stated in my first message, should you in your wisdom adopt some other practicable method by which the same result may be secured, it will receive my hearty concurrence.

In this connection, I would direct your attention to the need of better laws governing our system of popular education. Our State School Department is barely more than a clerical bureau or-

ganized for the purpose of distributing the educational fund appropriated by the State, and for that purpose even it not as well provided for as its importance deserves. This Department, which is expected to supervise the distribution of two and one-half millions of dollars—or approximately one-half of the State's total revenue—annually, is operated at less than \$5,000 annual expense. Its head, who is supposed to be the head of our public school system, gets a salary which is smaller than that paid to the superintendents of schools in many towns and counties. It is fortunate that we have been able to secure high types of educators so devoted to the work that they are willing to head this Department for the small remuneration, but it is not fair to expect such personal sacrifices, and besides we face the danger of being unable to retain or secure a thoroughly competent person, for this important office.

The State Board of Education should be so reorganized as to be composed of experienced educators, and its authority should be extended; the State School Commissioner should be made State School Superintendent, in fact as well as in name, with authority to give, under the supervision of the State Board of Education, some direction in the modes by which the school appropriations should be expended in different communities. Such changes, I believe, would mean improvements to the public schools as a whole of such nature as would equal in efficiency an additional expenditure of a quarter of a million dollars under our present lax methods.

I am advised many counties are now drawing

more money out of the State Treasury for public schools than they put in, in all kinds of taxes, and it is but fair that the State which provides the means, though it comes direct from the people, should be able to exercise some authority in seeing that it is expended to the best advantage in securing the object intended.

#### BETTER TAXING SYSTEM NEEDED.

Bearing in mind now that to the tax-payer is our first and highest duty, let me say that in naught is reform more needed than in our tax levying methods. The present system is old, cumbersome, crude, inadequate and unjust. No principle of government should receive greater reverence and care than that which says that all the burdens of government shall be borne equally by the beneficiaries. It is just as necessary that there be equal obligation and duty as that there should be equality in the distribution of benefits. No one who has given the matter examination will argue that the burden of taxation is equally borne by the citizens of Georgia. Instead, the greatest of inequalities exist and will continue to exist until some method by which this burden shall be equally distributed has been adopted.

Our present system is essentially one of voluntary contribution; as our learned Attorney-General has aptly said, it is a case of "merely passing the hat." The result is that some are heavily taxed as compared with their neighbors, and some who reap most lavishly of the benefits of good government fail to pay their proportionate share. The lamentable

feature is that in the former class will, in the main, be found the small tax-payer, the humble owner of a cottage home, the ruralist with his few acres or few heads of stock, the workman with nothing but his household goods. In the latter will be found many of the owners of large properties, wealthy corporations and affluent non-residents.

Something should be done to insure the return of the large estate and the great holdings of corporations, on the same ratio of valuation as characterizes the returns of the owners of small properties, and to insure the return at equitable valuations of personal property upon by far the larger part of which no taxes are paid. Something should be done to see that property in each county shall be taxed by the State on the same basis of valuation that prevails in other counties. As it is now assessments are made without bare semblance of uniformity though the State tax rate is the same in all.

Therefore, I repeat the recommendation of my first message regarding the creation of county Boards of Equalizers, whose duty it shall be to revise all returns made to the tax receiver and to reject and assess those found to be at valuations less than the prevailing standards, and to search out and assess all property, personal or otherwise, which is not returned, of course providing opportunity in all cases for the tax-payer to be heard. There should also be a State Board of Equalization whose duty should be to see that the same standard of values is adhered to in each county, in order that there may be uniformity among counties, and to revise the re-

turns of public service and other corporations such as make returns to the Comptroller-General, and to reject them when too low and assess them at the prevailing or proper standards of value. This system would be less expensive, fairer to all concerned, and less productive of inequalities than the present method of arbitration.

The cry may be raised that this will increase taxes. No greater sophistry could be employed to deceive the unsuspecting mind. It will not mean that the total amount of taxes paid shall be more. It will mean that some who are now paying less than their share will be compelled to pay more, while some who are paying more than their due will pay less. Larger assessed valuations, with the corresponding decline in the tax rate that will follow, will do much to place this State before the business world in a true light. If our assessed valuations were \$1,500,000,000—which in real value they are, or more—and our tax rate 21½ mills, no more taxes would have to be paid than now yet we would stand before the country as one of its richest communities and having one of the most economical of governments.

In North Georgia there is a county where improved lands were returned in 1908 at an average valuation of \$12.24 per acre, while in an adjoining county they were returned at \$6.65; in middle Georgia one county returns improved lands at an average valuation of \$5.84, while an adjoining county pays taxes on the same kind of property at an average valuation of \$3.89 per acre; in South Georgia will be found a county where improved

lands are assessed at an average of \$12.86 per acre, while one adjoining pays taxes on an average valuation of \$2.73 per acre.

Within the territory comprising the municipality of Atlanta, State and county taxes are collected on property returned at \$84,053,739; on the same property city taxes are collected on an assessed valuation of \$115,765,696, while the real value is estimated by the City Comptroller at \$200,000,000. In Augusta property within the city is assessed for city taxes at a valuation of \$26,324,072; for State and county taxes the same is returned at \$21,709,031 in Savannah, city taxes are collected on property valued at \$48,689,875, while the same property is taxed by the State and county on a valuation of approximately \$40,000,000. Similar inequalities, I suspect, exist with regard to most, or all, city property in the State. It might be stated that these cities no longer abide the voluntary return system, prevailing in the State government, but, as a rule, have assessors who make direct assessment or minute revision of all returns.

In an address before the International Tax Conference in September of last year, Hon. C. Murphey Candler, an expert on Georgia tax laws, said:

“Taking the latest estimated true values of all property in Georgia, made by the National Census Bureau in 1904, improved real estate constitutes 48 per cent. of all the property in the State and pays 51 per cent. of all taxes. All property in the State was returned for that year at 44 per cent. of its estimated true value.



“Real estate and improvements were returned at 49 per cent., live stock and farm implements at 59 per cent., railroad property at 40 per cent. and street railroad, electric light and gas companies, and shipping at 21 per cent. of their estimated true values. The Census Bureau gives no separate estimate as to the true value of money, notes, accounts, solvent debts, etc., but it is exceedingly doubtful if this class of personal property is returned at over 30 per cent. of its value.”

While these ratios may have been somewhat changed in subsequent years, it must be remembered that the assessments on which these figures were based by the National Census Bureau were made under the same laws and regulations as prevail now.

With much respect, but great earnestness, I submit the above stated facts to you, and believe they show that the subject is one deserving great consideration at your hands.

#### INHERITANCE TAX.

In this connection I again urge upon you the passage of a law placing a tax upon inheritances, graduated according to their size and their collateral nature. In England and in many of our own States this has been found a source of large revenue and one that is fair and equitable.

#### A LABOR BUREAU

Permit me again to respectfully call your attention to the recommendation made in my first message

to the effect that you establish a State Department of Labor.

The reasons then advanced for the establishment of such department appear now of even more controlling importance, besides to do so is both a demand of the people, as expressed at the ballot box and in convention assembled, and a pledge of the administration of which you are a part. Since the Department of Agriculture has wrought such substantial benefits to the agricultural interests, we can readily anticipate that a Department of Labor would likewise protect the rights and enhance the interests of the laboring classes in the cities and other localities.

The great growth of the manufacturing and other industrial establishments in the State is demanding many thousands of new workers and their needs of fair treatment and protection call for the most discerning care.

New problems regarding labor are arising, and such a department would not only serve the employee, but, in many instances, the employer as well, by promoting harmonious relations between the two.

It is a matter of gratification that good relations have existed, almost without exception, between employers and employees in this State. This makes the establishment of a labor department all the more desirable in order that the State shall contribute towards continuing such a beneficent condition.

Such departments have been established, in some form, by a number of States, and have been found highly satisfactory.

## IMPROVING THE COTTON PLANT.

Acting under the direction of a Resolution (No. 4, Georgia Laws 1909) adopted at your last session, it was my pleasure since your adjournment to communicate with Mr. Luther Burbank, of Santa Rosa, California, with regard to including the cotton plant in his experiments. His reply is herewith submitted:

“SANTA ROSA, CAL., March 17, 1910.

*“To His Excellency,*

JOSEPH M. BROWN,

*Governor of Georgia.*

“ESTEEMED SIR: Your highly appreciated communication of March 11th just received, and while I am highly pleased to know that yourself and your Legislature have confidence in my ability to improve the cotton plant (which most certainly can be improved under the right management), yet I feel, under the great pressure to which I am continually subjected, that it will be impossible for me to do very much of anything in this line.

“Our coast climate is too cool for the cotton plant and I have so many experiments on hand and such a great amount of correspondence, which must be attended to, that I do not feel like starting a new experiment station further inland where the cotton plant would be grown with success. At the same time, I have now started some very small experiments in this line, which may possibly sooner or later

be of some benefit to the growers of cotton. The study of the cotton plant in all its phases, sufficient to thoroughly encompass the work of improving it, would almost be a life work for a single individual. Hardiness, productiveness, length and quality of staple, resistance to diseases and insects, especially the boll weevil, and a thousand other questions would be brought up in the improvement of cotton.

“While this work would interest me beyond measure if I was within the cotton belt, yet, having thousands on thousands of experiments of other kinds, some of which have been going on for ten to thirty years, it would seem almost an impossibility for me to branch out and attack as I would like to such a great subject as the improvement of cotton. My time is so occupied that I could not well attend to this, excepting in certain directions, more especially towards a hardier variety.

“If at any time I can make suggestions which will be of service to other workers, it is always my pleasure to do so.

Faithfully yours,

LUTHER BURBANK.”

In this connection it pleases me to bring to your attention the splendid work being done on the above line by our State Agricultural College under the direct supervision of Dr. A. M. Soule and Prof. R. J. H. DeLoach, and by the State Entomological Department under the supervision of Prof. E. L. Worsham. These experiments have developed to an extent that promise great benefit to the cotton

growers of the State, and I commend them to you for consideration and encouragement.

I am advised that the State Agricultural College is engaged in the development of a cotton plant which will be proof against Anthracnose and which will have a longer and more valuable fiber. The success of this effort by experiments will add great value to the cotton crops of this State and I, therefore, recommend a reasonable appropriation to the State College of Agriculture to be used in carrying on this work. The work of the Entomological Department in overcoming "black root" has met with encouraging results and provision for its continuance should be made.

#### RAILROAD COMMISSION.

The sovereign people of Georgia, in the election which chose your honorable bodies, adopted, through their representatives, a platform which contained the following expression of their will:

"We are opposed to unnecessary offices which levy additional taxes on the people; and we ask the Legislature to scan carefully Georgia's pay-roll to the end that all sinecures be cut off. We especially favor a reduction in the membership of the present Railroad Commission from five to three, and the abolition of the office of special attorney of the same."

I respectfully renew the recommendation made in my first message that this mandate of the people be made effective. The present number of members of the Railroad Commission and the consequent in-

crease in its expenses are out of proportion to its usefulness and the tax-payers should be relieved of these superfluous burdens.

#### BIENNIAL SESSIONS.

Another matter to which I call your attention is that of biennial sessions for the General Assembly. Only about one-half dozen States in the American Union now have annual sessions of their law-making bodies, and the sentiment of the people of Georgia appears positive to the effect that this State should be freed from the expense of yearly sessions, which are calculated, also, to burden the people with unnecessary laws.

#### DEPARTMENTAL REPORTS.

The reports of the State House officers and of trustees of colleges and public institutions and of our other boards are or soon will be before you. I respectfully commend them to your attention as containing much useful and creditable information with many worthy recommendations too numerous for mention here.

#### REPAIRS IN LEGISLATIVE HALLS.

Acting under direction of your honorable bodies, I have had the halls of the House of Representatives and the Senate renovated, repaired and re-carpeted. The work was let in two contracts, one for repairs and decorations and the other for carpets. Each contract was let by bids, suitable advertising being

made and full opportunity offered all who desired to make estimates.

In order to insure the most acceptable results in the matter of repairs and decorations, I thought it wise to reject all of the first bids submitted for that part of the work. The work being of a highly technical nature, a reliable and skilled architect was employed to prepare specifications and engaged to supervise the work, under which, after advertising throughout the State, bids were again submitted and opened, the contract being let to the lowest bidder.

The re-carpeting cost \$4,890.37 and the decorating and repairing \$6,123.00. The services of the architect cost \$350.00, making a total of \$11,363.37.

Payments on these contracts have been made out of the Public Buildings fund, causing the same to be severely taxed, and which will not be able to sustain the extra expense unless re-imbursed. Therefore, I respectfully suggest that the Public Buildings Fund be reimbursed in the sum of \$11,363.37.

In the above connection, the Engineer of the Capitol brings to my attention in his annual report, the fact that the Capitol Building boilers are in serious need of repair. He states that money might be saved by replacing them with new ones, and has secured estimates covering the expenditure which are now on file in the Executive Office. He also, urges, as a matter of economy as well as comfort, that the Capitol elevator be changed from steam to electric power.

## INSURANCE PREMIUMS.

During the year, new property coming into possession of the State needed to be insured, and some old property that had been omitted from the insurance schedule or which was covered inadequately was brought to my attention. I authorized the issuance of policies on this property, each being for a period of five years, but, in the absence of any insurance fund at my disposal, contingent upon an appropriation to meet the premiums. The total amount due is \$2,498.05. I suggest that the sum of \$5,000 be appropriated as an insurance fund, out of which premiums on existing new policies shall be paid and any further needs of like nature met pending the expiration of the general schedule of State insurance.

## THE NEW CODE.

The special Commission from your two houses which was named to examine the new State Code prepared by Hon. John L. Hopkins and tentatively accepted by you, has made its report to me, which is herewith submitted to you: (Appendix B).

The manuscript for the new Code is now in the possession of this department and awaits your direction.

## PARDONS.

In conformity with the requirements of the Constitution, I herewith submit to you a statement of all the pardons, commutations and reprieves granted

(div A)



Rather than make this message too voluminous, I have deemed it wise to postpone the discussion of some matters which I shall bring to your attention a few days later.

CONCLUSION.

And now, in conclusion, allow me to repeat the assurance of co-operation with which I closed my first message to your honorable bodies. Our powers and duties, it is well known, are different, but associate. You occupy the dual status of being the crystallization of the sovereign people and the agents of the same to whom they have delegated duties which they have made mandatory. I am the Executive of their will as written upon the statute books by you. The Executive cannot enact a law, he cannot repeal a law; but, with the instruments of authority placed in his hands, he can enforce the laws you enact. Let us then hold ever in mind that the protection of society, equally, impartially, firmly, discerningly and completely is our paramount duty to the people of the State.

Respectfully submitted,

Joseph M. Brown.

## (APPENDIX A.)

In Compliance with the provisions of Section 5815 of the Code I herewith submit report of all reprieves, commutations of sentences, pardons, etc., granted during the past year.

## PARDONS GRANTED.

L. M. PATTEN.—Selling Whiskey. Criminal Court of Atlanta, spring term, 1909. With fine of six months in jail. He was convicted on evidence of man who was afterwards convicted himself. He is from good family, and his previous record is good; he has served four months in prison; and his release is recommended by Assistant Chief of Police, by detectives who had charge of case, by Solicitor General who prosecuted case, and by Judge who presided at the trial. Pardon granted July 10th, 1909.

LACE SIMPSON.—Murder. Superior Court, Hart county, March term, 1899. Life imprisonment. Witness who was young at date of trial makes affidavit that she was excited and made mistake in giving evidence on trial, which is material testimony; from affidavits it appears that the offense might have been only manslaughter; he has served with good record ten years, and his pardon is recommended by practically all of the trial jury, by the officers of the county, by the Solicitor General and by the prosecutor. Pardon granted July 21st, 1909.

J. H. WICKER.—Cheating and Swindling. County Court of Green County, March term, 1909. Sentence 12 months chain-gang. County physician certifies that he has chronic kidney trouble and dropsy and is unfit for service. Commissioners and most of other county officers ask his immediate release on grounds of humanity. Pardoned July 22nd, 1909.

JIM ELLISON.—Larceny City Court, Atlanta, spring term, 1909. Sentenced to 10 months and \$75.00. Criminal intent doubtful; family upon public charity. The prosecutor, presiding judge and solicitor ask his release. Pardon granted July 24th, 1909.

HAYWOOD POWELL.—Burglary Superior Court, Bibb county, January term, 1906. Sentenced for 5 years. He has served all of sentence but eight months, with good record, and was only 15 years, or less, when convicted; his pardon is asked by the trial Judge and the Solicitor who prosecuted case. Pardon granted July 30th, 1909.

HENRY A. HEITMAN.—Bigamy Superior Court, Bartow county, 1907. Three years sentence. Some doubt as to guilt, and his physical inability to perform labor required is vouched for by four physicians; the county physician where he is confined certifies officially to his extreme inability to work. His wife also asks his release. Pardon granted August 3rd, 1909.

JAMES REED.—Murder. Hall Superior Court, July term, 1907. Life imprisonment. States witness admits he was mistaken on material point; his physical condition very bad, and his pardon asked by 1,600 citizens of county where crime was said to have been committed, also, by trial jury, grand jury, and trial Judge. Pardon granted August 4th, 1909.

SHERMAN BREWER.—Burglary. Fulton Superior Court, November term, 1903. 11 years in penitentiary. He was convicted on three separate charges, but Judge Fite, who presided at the trial, told him if he made a good record that he would recommend that two years be taken from sentence. Prisoner has made good record and Judge Fite recommends the pardon. Pardon granted August 6th, 1909.

ALICE WILLIAMS.—Misdemeanor. Eight months chain-gang. She served about 6 months; has been sick most of the time, and confined to bed about one month, and there are serious doubts as to her recovery if further confined in prison. Pardon granted November 1st, 1909.

JOHN N. PYLE.—Manslaughter. October term, 1909, Superior Court, Early county. Sentenced to 8 years in penitentiary. Character of prisoner good prior to conviction. Grand jury returning bill and trial Judge, together with all officers including Solicitor, recommend his pardon. Pardon granted December 9th, 1909.

SAMUEL SUMMERS.—Burglary. March term, 1908, Superior Court, Gwinnett county. Sentenced to reformatory. He is a young white boy, who is said to have been influenced to participation in the crime by an older boy, who technically guilty, record at reformatory good. Solicitor General prosecuting, doubts whether the boy should have been convicted, and strongly urges his pardon. Pardon granted December 17th, 1909.

J. W. ROYALS.—Misdemeanor. July term, 1909. City Court, Valdosta. Sentenced 12 months chain-gang. His wife and six children dependent upon him, are in destitute condition. Judge Smith, who presided at trial, Solicitor who prosecuted case and a number of citizens of Lowndes county, recommend release. Pardon granted December 20th, 1909.

E. A. MOORE.—Murder.—Fall term, 1905. Superior Court, Chatham county. Only son of widowed mother; was conductor on street car, and having difficulty with passenger, fired shot which killed lady on street. His crime, if any, it seems should have been involuntary manslaughter in commission of unlawful act. A large number of the citizens of Chatham county, together with city recommend pardon. Pardon granted December 20th, 1909.

EUGENE HUTCHINSON —Misdemeanor. August term, 1909. City Court of Hartwell. Sentenced to 12 months or \$250.00 fine. A married man with invalid

wife and several small children dependant upon him. Court of Appeals says "the evidence is barely discernable to judicial scrutiny." Presiding Judge, Solicitor prosecuting the case, together with Sheriff, strongly recommend clemency. Pardon granted December 20th, 1909.

GEORGE MADDOX.—Stabbing. August term, 1907. Superior Court, Spalding county. Sentenced to reformatory. Boy was about 12 years old at date of difficulty, and was struck by another boy with whip, whereupon he threw knife at him, making painful wound, but not serious. Previous record is good and the Solicitor General prosecuting case strongly requests discharge. Pardon granted December 20th, 1909.

JOHN PENLEY.—Gaming. August term, 1909. Superior Court, Spalding county. Sentenced to 6 months chain-gang. He is a young white man; a son of a poor widow woman; other boys engaged in the game paid fine of \$40.00 and were released. Penley being unable to pay fine began service August 11th, 1909. Mother and five young children needs his help; only white person in Spalding camp, and a large number of citizens, also chain-gang. County Commissioner recommend his pardon. Pardon granted December 20th, 1909.

MAUD SHORTER.—Attempt to Murder. November term, 1908. Superior Court, Stewart county.

Sentenced to reformatory. Girl was only 11 years old when tried and sentenced. Superintendent writes that she has made an excellent record, and asks her release. Pardon granted December 21st, 1909.

JOHN W. CHAPMAN.—Drunkness. August term, 1909. Superior Court, Milton county. Sentenced to 12 months in chain-gang. Offense did not result in difficulty with another one; is of a good family and previous good character. His family, consisting of wife and three small children, who are in destitute circumstances. Has been confined in chain-gang about 4 months and the condition of his family is such as to need his presence. Pardon granted December 20th, 1909.

TERRY W. CORDRAY.—Assault and Battery Fall term, 1908. City Court of Blakely. Sentenced to reformatory. Has served 14 months; maximum sentence for crime committed. Is only child of mother who needs his labor to care for her. Solicitor City Court, together with officers and Mayor of Blakely and number of citizens ask his discharge. Pardon granted December 21st, 1909.

JOHN BURNS.—Misdemeanor. Convicted. City Criminal Court, Fulton county, 1909. Sentenced 3 months in chain-gang or \$25.00. He is a very old white man who was convicted for being drunk on the public highway without disorderly behavior. Judge

who tried him and Solicitor who prosecuted, regard that his age and circumstances of his offense, together with good record on chaingang works release, he is unable to pay fine. Pardon granted December 23rd, 1909.

W. A. CHAMBERS.—Larceny. May term, 1909. Criminal Court of Atlanta. Sentenced to Fulton County Reformatory. It is represented that boy was put into the reformatory at instance of father, who thought he had taken money from older sister. His guilt is doubtful and his mother, a Christian lady, and other members of the family request his release. Pardon granted December 24th, 1909.

WALTER L. HORNSBY.—Assault and Battery. June term, 1909. City Court of Atlanta. Sentenced to 12 months chain-gang or \$300.00. Presiding Judge, Solicitor General, Sheriff of county and a number of citizens, and mother of boy assaulted, ask his pardon. Pardon granted January 12th, 1910.

HERMAN MENDELL.—Assault and Murder. Fall term, 1908. Superior Court, Muscogee county. Sentenced to penitentiary. Judge and Solicitor General prosecuting, indorse application for pardon. Pardon granted January 12th, 1910.

CHARLES AIKEN.—Concealed weapon. January term, 1910. City Court, Atlanta. Fine of \$50.00



and costs. Presiding Judge and Solicitor who prosecuted, indorse application for clemency. Pardon granted February 7th, 1910.

J. S. TRIBBLE.—Misdemeanor. October term, 1909. City Court, Atlanta. Fine \$100.00 or 12 months in chain-gang. Presiding Judge, Prosecuting Attorney, recommend application for clemency. Presiding Judge expresses doubt as to guilt. Pardon granted February 3rd, 1910.

LEVI ELLIOTT.—Simple Larceny. February term, 1908. City Court of Atlanta. Sentenced to Fulton County Reformatory. He was 15 years old when sentenced, and has been in reformatory about two years. His mother who lives in Tennessee desired to take him home and put him in to school. Pardon granted February 3rd, 1910.

GUY MORGAN.—Simple Larceny. March term, 1909. City Court, Atlanta. Sentenced to Fulton County Industrial Farm. Was sentenced for very trivial offense. Presiding Judge, Sheriff, Hon. Jerome Jones and many others of prominence recommend his application for clemency. Pardon granted March 9th, 1910.

JEROME WOOD.—Malicious Mischief. Fall term, 1909. City Court, Hazelhurst. Sentenced to State Reformatory. Is son of widowed mother, and seems to have been convicted of trivial offense. Judge of

City Court, Clerk of Court and a large number of citizens ask his release. Pardon granted March 9th, 1910.

T. A. MCGINNIS.—Bigamy. Fall term, 1908. Superior Court, Forsyth county. Sentence two years in penitentiary. He is weak mentally, and having married, instituted proceedings for divorce, procured one verdict, and thought he was authorized to marry again, did so and was indicted, whereupon he plead guilty, Solicitor General, trial jury and honorable citizens of county, recommend his release. Pardon granted March 10th, 1910.

EARL VAUGHN.—Simple Larceny. January term, 1910. City Court, Atlanta. Sentenced to six months in jail. He is a young man of unsound mind, recently from State Sanitarium at Milledgeville; sick with fever in Fulton jail; father desired to take him to Grady Hospital. Pardon granted March 11th, 1910.

LILLIUS THURMOND.—Assault with Attempt to Murder. Spring term, 1909. Superior Court, Jackson, Ga. Sentenced two years in penitentiary. His pardon is recommended by County officers, 15 members of the Grand Jury returning indictment. Hon. John Holder, Speaker of House Representatives and numerous good citizens of county recommend his pardon. His wife and child dependent upon him are in destitute condition. Pardon granted April 11th, 1910.

OLIVER FINCH.—Selling Liquor. March term, 1909. City Court of Statesboro. Fine \$300.00 and six months in chain-gang. Fine and costs which amounts to \$460.00 has been paid, and has served in chain-gang since March 7th, 1910. Seems to have been largely under control of older brother. Application indorsed by trial jury, except one inaccessible. Hon. J. J. E. Anderson, county officers and about 800 citizens, neither Judge nor Solicitor oppose. Pardon granted April 12th, 1910.

EARL OVERBY.—Simple Larceny. May term, 1909. Criminal Court, Atlanta. Sentence Hapeville Reformatory. Was convicted of trivial offense, has been confined about one year. Mother is grief stricken on account of death of the young brother and had ask his release. Pardon granted April 12th, 1910.

G. M. MANUS.—Selling near beer without license. Spring term, 1909. City Criminal Court, Atlanta. Sentence \$100 or 12 months in chain-gang. He is an old infirm Confederate soldier. Trial Judge, Prosecuting Attorney and Chief County Police, together with Sheriff, recommend his release. Pardon granted April 15th, 1910.

NEWTON J. THRELKELD.—Murder Spring term, 1906. Superior Court, Grady County. Life imprisonment. Nine of trial jury say they do not believe he was guilty of murder, but only of manslaughter,

which was not given in charge of trial. Hon. W. S. Wright, member of Legislature from Grady County, and Hon. W. S. West recommend his release. Pardon granted April 16th, 1910.

ARTHUR COLE.—Selling liquor. Fall term, 1909. Superior Court, Fannin county. Fine \$1,000 or 12 months in chain-gang. He began services in chain-gang October 1909. In view of severity of sentence and having served more than six months, his pardon is granted upon payment of \$100.00. Pardon granted May 5th, 1910.

WILL W. MCKINNEY.—Vagrancy. February term, 1910. Criminal Court, Atlanta. Sentence 12 months in chain-gang. Was addicted to the use of drugs, opium and morphine. No substantial charge against him, but was tried and sentenced to gang in order to cure him of habit. Doctor says he is cured and recommends pardon, application indorsed by trial Judge and Solicitor. Pardon granted May 11th, 1910.

B. T. MCHENRY.—Forgery. February term, 1910. Superior Court, Chatham county. Sentence six months in jail. Intent doubtful, amount involved only \$4 00. Jury recommend' pardon, present character good; family badly in need of his labor. Pardon granted May 16th, 1910.

## COMMUTATIONS GRANTED.

ROBERT HAYWOOD.—Gaming. April term, 1909. Superior Court, Fulton county. Sentence eight months in chain-gang or \$50.00. According to statement of County Physician McDonald, this boy is confined in the Incurable hospital of Fulton County Camp, suffering from consumption, and will never be able to work in the future. In opinion of physician, he can only live a short while, but being permitted to go home to his mother in the country, his life may be prolonged; present record good. Commutation granted July 8th, 1909.

FRANK MEYERS.—Stealing Ride. October term, 1908. Superior Court, Fulton county. Sentence 12 months chain-gang. Meyers was morphine fiend, and at the request of mother was sentenced without fine, in order to be cured of morphine habit, he is now well, having served 9 months. Judge who sentenced, Solicitor prosecuting him, together with Dr. J. W. Hurt recommend his release. Commutation granted.

BOB FLOYD.—Larceny. Superior Court, Warren county. Sentence 12 months chain-gang. He is suffering with incurable disease in hospital; physician and surgeons certify to his condition, and County Commissioners command his release. Commutation granted July 8th, 1909.

D. C. FINCH.—Selling Whiskey. February term, 1909. City Court of Statesboro. Fine \$1,000 and three months in jail. Reputable physicians certify that he has suffered from chronic rheumatism and engorgement of the liver, all of which would be increased by long confinement in jail. Sentence commuted to 20 days service in jail and payment of \$1,000. Commutation granted July 10th, 1910.

GUSS PEASE.—Murder. Spring term, 1893. Superior Court, Cobb county. Sentence Life imprisonment. Trial jury and presiding judge being fully acquainted with facts, urge release on the grounds that prisoner has been sufficiently punished to satisfy the demands of law. The Wardens certify to good conduct during 16 years of service; many citizens urge clemency. Commutation granted July 25, 1909.

R. L. VANDEFORD.—Rape. Superior Court, Fall term, 1906. Gwinnett county. Twenty years in penitentiary. Solicitor General says public excitement was great, and it was doubtful whether defendant was guilty with more than misdemeanor. Defendant's counsel insist that he is innocent. 650 citizens, all of Gwinnett county, ask his release, say that his conviction was a miscarriage of justice, on account of overwhelming excitement, and say that they do not believe that he is guilty of crime charged. His conduct as a prisoner has been very good and exemplary. Commutation granted August 3rd, 1909.

RICHARD ALLEN.—Burglary. October term, 1908. Superior Court, Fulton county. Sentence 12 months. Has served all of sentence except two months, and is unable to work on account of disease, for which reason clemency is recommended. Commutation granted August 6th, 1909.

NORMAN JACKSON —Voluntary Manslaughter. December term, 1900. Superior Court, Chatham county. Was convicted mainly on testimony of witness who was drunk and witnessed the killing. The defendant denies guilt. Has served 10 years and Solicitor General, seven members of trial jury and a large number of reputable citizens ask clemency on grounds of sufficient punishment and doubt as to guilt. Commutation granted August 6th, 1909.

CLEVELAND PICKLEHEIMER.—Murder. February term, 1906. Superior Court, Cherokee county. Was only 18 years of age when crime was committed and was put upon trial three days after arrest. His father 80 years of age, his aged mother, together with mitigating circumstances gave request for clemency by Grand jury, trial jury, county officers, Solicitor General and large number of reputable citizens authorize his release. Commutation granted August 6th, 1909.

W. L. JOUGHIN. Assault with Attempt to Murder. June term, 1907. Superior Court, Chatham, Ga. Sentence 7 years in penitentiary. Was accused

of assaulting his wife, though injury very slight. He has served two years and his recommendation for pardon is recommended by Solicitor General, foreman of the jury and others. Commutation granted August 6th, 1909.

RILEY WALTON.—Burglary Spring term, 1909. Taylor County. Sentence 4 years in penitentiary. Was convicted for entering house in day time and taking therefrom \$4.75, upon evidence of negro man and his wife. Mr. Vann, a reputable white man, testifies that he was picking cotton in the field at time of alleged crime, thereby establishing alibi. He is of good family. Commutation granted August 7th, 1909.

GORDON SIRMANS.—Selling Liquor. November term, 1908. Superior Court, Decatur county. Sentence 12 months chain-gang. Has rheumatism involving heart, which is certified to by County Physician, exposure makes condition worse. County Commissioners, county officers, Senator and Representative, together with other good citizens of the county, ask clemency. Commutation granted August 7th, 1909.

ALF HALL.—Burglary Fall term, 1907. Superior Court, Ben Hill, Ga. Was confirmed opium eater, wandering around, physically unable to do much work, and in this condition, stole clothing and food in day time from dwelling houses. Was sent to



State Farm where he remained two years with good conduct. Physician at State Farm certifies that he is thoroughly cured of opium habit. Trial Judge satisfied that the object of sentence and law vindicated. Commutation granted August 9th, 1909.

GEORGE COOPER.—Larceny after Trust. April term, 1907. Superior Court, Chatham county. Sentence 8 months. Testimony technically justifies conviction, but present circumstances indicate no criminal intent; while intoxicated borrowed gun and pawned it, but redeemed same and returned it. Owner of gun did not prosecute and asks release. He is working man with large family and has served nearly half of sentence. His release is asked by Representatives of the county. Commutation granted August 9th, 1909.

ED KNOX.—Murder. March term, 1901, Superior Court, Franklin county. Sentence life imprisonment. Evidence defendant developed Prison Commission shows voluntary manslaughter. His release is recommended by 12 Grand jury, 5 trial jury and large number of citizens, by trial Judge and Solicitor General. Commutation granted August 10, 1909.

CHARLEY HUDSON.—Violation Prohibition Law. June term, 1909. City Court. Fine and 10 months chain-gang; five months jail, \$75.00 fine. Hudson is physically unable to work or stand upon his

feet. His pardon is recommended by trial Judge, County Commission, City Court and by Physician and Sheriff. Had previously served in city chain-gang for some offense and received injury while confined therein. Commutation granted August 13th, 1909.

LOUISA LINDSAY.—Infanticide. Spring term, 1900. Superior Court, Spalding county. Sentence life imprisonment. At last stage of consumption, and can only live few weeks. Trial jury, presiding Judge and many citizens recommend her release. Commutation granted August 28th., 1909.

BEN GADSON.—Burglary. December term, 1905. Chatham county. Sentence 7 years in prison. Has served nearly 4 years of sentence and is suffering from incurable disease and unable to perform any labors. County Commissioner and others recommend his release. Commutation granted September 10th, 1909.

GILBERT MATHEWS.—Rape. January term, 1908. Superior Court, Bibb county. Sentence 10 years in prison. Is a negro between 60 and 70 years. His pardon is recommended by trial Judge, Prosecuting Solicitor, trial jury, Sheriff and deputies, together with jailor and others. Sheriff states that a number of burglars had planned killing of jailor and defendant gave information concerning same and prevented jail delivery with probable saving of jailor's

life. Girl of bad character. Commutation granted September 10th, 1909.

FRANK JARVIS. — Misdemeanor. February term, 1909. Superior Court, Cherokee county. Sentence 12 months in prison. Brother and sister have died with tuberculosis and it is believed that defendant has contracted same. His pardon is asked by trial Judge Morris, county officers, preachers and reputable citizens of Cherokee county. Commutation granted September 10th, 1909.

ELISHA WHITE. Gaming. August term, 1909. Superior Court, Muscogee county. Sentence three months in jail or \$40.00. Defendant makes affidavit that he was never charged with any crime but this. Began service in jail August 3rd, and is unable to pay fine, his wife and six children, oldest less than 10 years and youngest about six months of age. Trial Judge thinks circumstances warrant commutation, same is also recommended by Solicitor General and Mayor city of Columbus. Commutation granted September 20th, 1909.

CLEVELAND, ANDERSON. — Murder. Fall term, 1909. Superior Court, Fulton County. Sentence life inaprisenment. Boy was 16 years old when convicted; some doubt as to criminal intent. Has consumption as certified to by Dr. Green. Has served about 10 years with good record, which together with physical condition authorizes clemency. Commutation granted October 12th, 1909.

ALICE WILLIAMS.—Misdemeanor. City Court, April term, 1909. Lowndes county Has served more than half of sentence at State Farm. Pardon is recommended by prosecuting Solicitor upon payment of \$100.00 and costs. Commutation granted October 12th, 1909.

LOUIS CHAMBERS.—Assault to Rape. October term, 1907. Superior Court of Whitfield county Sentence 10 years in prison. Hon. A. W. Fite, trial Judge says he doubts if boy was guilty of anything more than assault and battery, and he, together with Solicitor General prosecuting case recommend clemency. Application is indorsed by trial jury and mother of girl. Commutation granted October 12th, 1909.

TILT SHELTON.—Murder. August term, 1908. Superior Court, Chattahoochee county Sentence life imprisonment. Convicted on slight testimony, and it is very probable that killing was result of an accident due to want of knowledge in handling automatic pistol. Many of the best citizens of the county urge clemency. Commutation granted October 12th, 1909.

JOHN GRIFFIN.—Misdemeanor. October, 1909. Calhoun County. Sentence two months in jail or \$200 fine or 10 months in chain-gang. Previous record good, sold a pint of whiskey Several of family died with tuberculosis, and he now has same disease, which would likely be precipitated by con-

finement in jail. Fine of \$200 or 10 months in chain-gang. Commutation granted October 30th, 1909.

DAVE. WILLIAMS.—Concealed weapons. Two cases. September term, 1908. Spalding county. Sentence of 12 months in chain-gang in each case. Has served one sentence and two months on another. Trial judge recommends release upon payment of \$75.00. Commutation granted upon payment of \$75.00 November 1st, 1909.

L. H. GRIZZARD.—Burglary. November term, 1907, Superior Court, Fulton county. Sentence 3 years imprisonment. Former employers certify to his previous honesty. Trial judge, presiding Solicitor recommend clemency, to which proprietor of hotel states to them is entirely agreeable. Commutation granted November 13th, 1909.

PEARL HAWKINS.—Adultery. Fall term, 1909, Superior Court, Pickens county. Sentence 6 months. Physical condition is such, and conveniences at State Farm are of character that require her release in interest of society and humanity. Commutation granted November 15th, 1909.

LYDIA HARDEN.—Vagrancy. 1909 term Superior Court. Appling county. Sentence 12 months. Physical condition is such and conveniences at State Farm are of character that require her release

in interest of society and humanity. Commutation granted November 15th, 1909.

ELIX FEARS.—Larceny. May term, 1909, Superior Court, Fulton county. Sentence 6 months in jail. He is suffering with tuberculosis of the lung and physicians recommend his release in order to prevent probable spread of disease. Term would expire 28th of November. Commutation granted November 2nd, 1909.

ROBERT SHEPARD.—Murder. Spring term, 1905. Sentence life imprisonment. The evidence developed before the Commission was not produced at trial, and shows grave doubts as to guilt of defendant. Trial judge, Solicitor-General and Clerk of court recommend application for his release. Commutation granted November 13th, 1909.

WILL TRUMPLER.—Misdemeanor. Spring term, 1909, City Court of Richmond county. Sentence 8 months in prison. Boy was only 16 years old and was convicted of assault and battery. Boy assaulted was only slightly injured. Application is recommended by Solicitor of City Court, members of city council, chief of police, Hon. W. H. Fleming, Sheriff of county, Mayor of Augusta, President of the Board of Health and members of the Legislature. Commutation granted November 17th, 1909.

JOHN HARPER.—Murder. August term, 1907, Superior Court of Murray county. Death penalty.

The record shows that the Solicitor-General, prosecuting the case, stated to the jury in his open remarks that he would prove by eye witnesses the crime. This he did not do. Affidavit of eye witness above referred to since the trial has made affidavit to the effect that the sheriff, whom Harper killed, did not give Harper reason to know that he was such officer and shouted "hold them up." The witness further says that Keith (the deceased) shot several times as he pursued Harper. Finally after he had run some distance, about two hundred yards, Harper turned and shot at Keith.

Two of the jurors made affidavits concerning this statement and say had they heard at the trial, the statement made in the affidavit they would not have convicted said Harper of murder, nor would they have agreed to a verdict of murder in said case.

Two Justices of the Supreme Court, to-wit.: Hon. Beverly D. Evans and Horace B. Holden, have in written statements said that they consider the case as being one warranting commutation. One member of the Prison Commission strongly urges by way of argument the way of clemency, commuting said sentence to life imprisonment. Commutation to life imprisonment granted October 28th, 1909.

PETER WILLIAMS.—Gaming. May term, 1906, Criminal Court of Atlanta. Sentence 12 months in gang or fine of \$75.00. Defendant is in last stage of Bright's disease, and the opinion of Dr. McDonald is that he can only live a short while. Warden cor-

tifies his conduct to be good since confinement. Commutation granted November 15th, 1909.

CLIFFORD WEST.—Misdemeanor. August term, 1907, City Court of Monroe. Sentence 6 months chain-gang, or \$25.00. He is in the last stage of consumption. Presiding judge and trial solicitor recommend clemency. Dr. Elrod says he is unable to work and is a menace to the camp. Commutation granted November 16th, 1909.

LIZZIE TEASELEY.—Selling liquor. September term, 1909, Superior Court, Cobb county. Sentence 6 months chain-gang. She was received at convict camp September, 1909. County physician where she is confined in camp hospital, says she is suffering from tuberculosis, and owing to this heartily recommends pardon as soon as possible. This certificate is approved by Board of County Commissioners. Commutation granted November 20th, 1909.

DALLAS HALL.—Burglary. Spring term, 1909, Superior Court, Jackson county. Sentence two years in prison. Trial judge strongly urges commutation of sentence. Commutation granted November 20th, 1909.

JOE GREER.—Concealed weapon. March term, 1909, City Court, Jasper county. Sentence 8 months chain-gang. M. J. McElheny makes affidavit that prosecutor after trial told him that defend-



ant did not have pistol concealed. Eleven members of trial jury ask that his sentence be commuted. Sentence commuted and fine of \$20.00 November 20th, 1909.

A. E. SALLY.—Misdemeanor. Spring term, 1909, Superior Court, Richmond county. Defendant is a physician residing in Augusta for several years, and judge pronounced sentence and stated that defendant was an ill man, and that sending him to gang would mean his death, and under the law he would be forced to give him jail sentence. Considering the increasing disease of the prisoner, presiding judge together with the Solicitor-General, trial jury, judge City Court, Mayor of city and 30 physicians ask his release. Commutation granted December 1st, 1909.

MOSE BUSH.—Breaking jail. March term, 1909, Talbot county. Sentence 12 months chain-gang. Has served 9 months of sentence. County Commissioners and camp physician certify that he is dying of tuberculosis and ask his release. Commutation granted December 7th, 1909.

J. B. DEAN.—Burglary. January term, 1909, Criminal Court, Fulton county. Sentence two years in prison. The entire trial jury recommend release. Strong evidence showing an alibi has been submitted. Commutation granted December 10, 1909.

PRIMUS BUFFINGTON.—Voluntary manslaughter.

August term, 1905, Superior Court Hall county. Sentence 10 years in prison. Presiding judge and trial solicitor, Hon. Fletcher Johnson, attorney for prisoner, county officers, all of jury that are accessible, both members of the Legislature, chief police of Gainesville, City Clerk and Mayor and a number of citizens ask release. Commutation granted December 11th, 1909.

HOMER LUNSFORD.—Misdemeanor. October term, 1909, Criminal Court of Atlanta. First offense of the defendant. His release is recommended by Solicitor Hon. Lowry Arnold, R. M. Wiley, prosecutor, and others. Sentence commuted December 9th, 1909.

FRED IRBY.—Concealed weapon. October term, 1909, Superior Court Houston county. Sentence 12 months chain-gang. County physician certifies that he is suffering from very serious affliction of double hernia and is liable while undergoing the sentence to become strangulated, producing permanent disability. Is unable to work and citizens recommend commutation defined. Commutation granted upon payment of \$35.00, December 14th, 1909.

JOHN LIVELY.—Misdemeanor. September term, 1909, City Court, Atlanta. Sentence 10 months in chain-gang. Two cases against defendant, one for being drunk on public highway, and the other for fight with brother-in-law. No serious injury resulting. Defendant is in poor health as shown by Doctor's certificate. Judge Calhoun, Solicitor Arnold

and many good citizens recommend release. Judge Calhoun says is a burden to county. Commutation granted December 14th, 1908.

DELLA LALLIE.—Murder. January term, 1905, Superior Court Fulton county. Sentence life imprisonment. Presiding judge and Solicitor Hill prosecuting case, recommend pardon and say that she was hardly guilty of anything more than manslaughter. Has served 5 years and shows good record. Commutation granted December 16th, 1909.

SIM HARRIS.—Murder. January term, 1902, Superior Court Fulton county. Sentence life imprisonment. Upon evidence not submitted at trial, it appears that defendant was perhaps not guilty of anything, certainly not of murder. Camp physician certifies that defendant is in bad physical condition. Shows excellent prison record. Commutation granted December 16th, 1909.

ROBERT CALLAHAN.—Gaming. May term, 1909, Criminal Court, Atlanta. Fine of \$75.00 or 12 months in chain-gang. Defendant having served about half of sentence, the judge and solicitor prosecuting case recommend that sentence be commuted to fine. Sentence commuted to \$40.00 December 17th, 1909.

JIM ALLEN.—Burglary. Fall term, 1905, Superior Court, Bibb county. Sentence five years in prison, term will expire January 20th, 1910. Defendant pleads very earnestly for spending Christ-

mas at home. Considering all circumstances, good record, etc., it is deemed not amiss. Commutation granted December 20th, 1909.

WILL KELLEY.—Assault to murder. Spring term, 1908, Superior Court, Walker county. Sentence three years in prison. Solicitor-General, Hon. J. W. Bale, and Hon. Frank Copeland, of counsel for the State, father of assaulted party, Sheriff, Ordinary and Clerk of Superior Court request commutation. Commutation granted December 20th, 1909.

GRIFF FREEMAN.—Misdemeanor. August term, 1909, Fulton county. Sentence 6 months in jail. County physician certifies that he has a dangerous asthma and heart trouble from which he is suffering and advises his release. Sheriff certifies that his death is very much imperiled by confinement in jail and recommends his release. Commutation granted December 20th, 1909.

JOHN C. WITZELL.—Larceny. Fall term, 1907, Superior Court Gilmer county. Sentence four years in prison. He is an ignorant Dutchman who has an exceptionally fine prison record. He loaned another Dutchman \$50.00, which he failed to return, and defendant very much in need of same was advised by a friend to go to Gilmer county, whip the borrower and take his horse. This he did, but horse was recovered with little expense. Circumstances warrant release. Commutation granted December 20th, 1909.

FRANK FALLING.—Larceny. Fall term, 1907, City Court, Jasper county. Sentenced to Reformatory. Has served since November 24th, 1907. Superintendent of Reformatory recommends discharge on good record. He is 15 years of age. Commutation granted December 20th, 1909.

LUCY LITTLE.—Felony. Spring term, 1908, Superior Court Putnam county. Sentence five years in prison. She is an invalid suffering with tuberculosis and unable to work, has people who will take care of her. Commutation granted December 20th, 1909.

JIM REESE.—Selling liquor. July term, 1909, Oconee county. Sentence 12 months chain-gang. Has served half of sentence, and trial judge requests commutation of sentence to \$100.00 including costs. Solicitor, Ordinary, Sheriff and Clerk also recommend that the case take this course. Sentence commuted in accordance with request December 21st, 1909.

WESLEY PIERCE.—Murder. Fall term, 1908, Superior Court, Fulton county. Sentence life imprisonment. Was a negro boy 14 years of age when convicted, and has served 11 years. Solicitor General and many good citizens ask his release on account of youth and aggravating circumstances. Sentence commuted December 22nd, 1909.

ANNIE TUCKER.—Misdemeanor. October term,

1909 City Court Hancock county Sentence 12 months in chain-gang. A married woman with two small children dependent upon her for care and support. Her physical condition is bad rendering her unfit for service. Member of legislature, senator of the district, judge and solicitor and other prominent citizens indorse application for clemency. Commutation granted January 8th, 1910.

JAKE CARITHER.—Misdemeanor. October term, 1909, City Court of Monroe. Sentence of \$100.00 or 12 months in chain-gang. Trial judge in a letter strongly urges clemency. Commutation granted January 17th, 1910.

JOHN I. LEWIS.—Misdemeanor. Fall term, 1909, City Court Wilson county Sentence nine months in prison. Presiding judge and trial Solicitor recommends a moderate fine. Hon. Pope Brown, and other good citizens testify to good character and believe that he will not again violate the law. He is a poor trustworthy farmer, has a wife and several small children dependent upon him for support. Commutation and payment of \$25.00 granted January 12th, 1910.

JOHN ROBERTSON.—Murder. February term, 1903, Superior Court Fulton county. Sentence Life Imprisonment. Presiding Judge, Solicitor-General and also county officers and many citizens urge clemency. Commutation granted January 12th, 1910.

PERRY CRAWLEY.—Larceny. April term, 1909, City Court of Berrien. Sentence 12 months in chain-gang. Presiding judge, Solicitor-General, county officers and trial jury indorse application. Commutation granted February 7th, 1910.

HENRY ROBERTS.—Arson. September term, 1897, Superior Court, Pickens county. Sentence, Life Imprisonment. House burned was a small shack. Party owning house and prosecuting case, asks that sentence be commuted. Trial judge and county officers strongly urge clemency Trial Solicitor dead. The defendant has served 13 years with good conduct. Commutation granted January 12th, 1910.

GEORGE GOOLSBY.—Murder. May term, 1909, Superior Court Upson county. Commuted to Life Imprisonment. His pardon is recommended by Prison Commission after careful view of all facts in case. It also appears that other parties were connected with commission of crime and the commutation of Life sentence of defendant may result in their conviction. Commutation granted January 13th, 1910.

CHARLIE THOMAS.—Larceny. March term, 1909, City Court of Atlanta. Sentence 12 months or \$100.00 each. Has completed one sentence, and Prosecuting Solicitor and Trial Judge join in recommendation for \$50.00. Commutation granted January 22nd, 1910.

ROBERT YOUNG.—Misdemeanor. December term, 1909, City Court of Oconee county. Presiding and Prosecuting Solicitor urge clemency. Sentence commuted to a fine of \$50.00. Commutation granted February 7th, 1910.

AMELIA MORELAND.—Arson. September term, 1884, Superior Court Green county. Defendant a negro woman has been confined in penitentiary 26 years. Prosecutor states in writing that he does not object to release. Hon. H. G. Lewis solicitor at the time, says he cheerfully recommends same, other prominent citizens do likewise. Commutation granted February 11th, 1910.

SALLIE GRIFFIN.—Vagrancy. September term, 1909 Criminal Court Atlanta. Defendant has served about six months, conduct has been good; Judge, Solicitor, Sheriff strongly urge her discharge. Commutation granted February 19th, 1910.

WILL HENRY.—Larceny July term 1909, City Court, Oglethorpe county. Fine of \$75.00 or 12 months in chain-gang. The sentence provided that the payment of money in lieu of chain-gang services should be paid by a certain date. Defendant failed to raise money at the time, but afterwards did so and desired to pay; court refused. Commutation granted by allowing payment of \$75.00 the original fine imposed by the court. Commutation granted February 28th, 1910.



THOMAS HOPKINS.—Misdemeanor. Fall term, 1909, City Court, Screven county. Sentence 12 months chain-gang. Judge Boykin who presided at the trial strongly urges commutation to payment of \$150.00. Commutation granted in accordance with recommendation February 28th, 1910.

ANTHONY REDDICK.—Murder. Spring term, 1909, City Court, Sumter county. Four cases. Sentence 40 months chain-gang. County physicians report defendant in desperate health. It appears that further confinement would result in death, and perhaps if released he might recover, although it seems doubtful. County Commissioners and warden say that he is unable to work, and his care and expenses are \$42.00 per month. Commutation granted February 28th, 1910.

JULIAN CLARK.—Stealing ride on train. September term, 1909, Criminal Court, Atlanta. Was convicted September 25th, 1909. His mother is dangerously sick, and not expected to live. He was only 16 years of age when convicted. His youth and condition of mother and circumstances of case justify commutation. Fine commuted to payment of \$25.00. Commutation granted March 7th, 1910.

CHARLIE IRWIN —Selling liquor. November term, 1909, Superior Court, Henry county. Sentence \$500.00 or 12 months. He is reported to be practically an invalid, and not able to pay fine. His application is endorsed by members of Legislature from

Franklin county. Dr. W. W. Carmichael and others certifies to his physical condition. There is some question as to whether he sold the whiskey or bought it from one Jack Williams. At the trial of the case, it was not certain that there was such a party as Williams, but since the trial it has developed that there was such party. Eleven of the jury recommend clemency commuted to \$100.00. Commutation granted March 9th, 1910.

JIM STAPLES.—Burglary. February term, 1908, Superior Court, Polk county. Sentence 4 years. Trial judge, prosecuting solicitor and sheriff of Polk county endorse application on grounds that he gave information on intended escape from jail on the part of several other persons. He has served since September 11th, 1908. He stayed in jail about a year prior to sentence. This would make, crediting him with good time, about three years confinement. Commutation granted March 9th, 1910.

MOSE JOHNSON.—Murder. September term, 1908, Superior Court, Baker county. Sentence death penalty. Prosecuting attorney states that he does not think boy should be hanged. The trial judge says that if the two old men who procured the boy to do the shooting escaped with life sentence, that the boy should not be hanged. He has just passed 16 years of age and the grand jury indicting him ask for commutation for life imprisonment. Commutation granted March 15, 1910.

JULIA MORTON. Arson. December term, 1899, Superior Court, Jackson County. Sentence life imprisonment. Defendant was paroled some time ago. She is now in desperate health, having pneumonia and has convulsions frequently, is also a consumptive, and doctors say she cannot live long. Sentence commuted to present service April 10th, 1910.

RICHARD CARR. Robbing. December term, Superior Court, Bibb county. Sentence 10 years in prison. Presiding judge, prosecuting attorney, grand jury, arresting officers, recommend commutation to present service. Commutation granted April 26th, 1910.

FERDINAND HORSTMAN.—Larceny. Fall term, 1905, Superior Court, Fulton county. Sentence 8 years. He has served more than half his term, seems to have been duped into commission of crime by one O. B. Black, who was sentenced to 10 years service, and granted commutation in 1908. Commutation granted April 6th, 1910.

IKE TUGGLER.—Murder. Spring term, 1901, Superior Court, Walton county. Judge R. B. Russell, who presided at trial, Hon. C. H. Brand, Solicitor-General prosecuting, the grand jury and trial jury all recommend commutation of sentence to present service. Commutation granted April 7th, 1910.

DAN LYON. Murder. Fall term, 1884, Superior Court, Bryan county. Life imprisonment. Pris-

oner was paroled April 1909, after diligent inquiry and investigation of conduct of present sentence, he was paroled. The Commissioners recommend he is entitled to pardon. Commutation granted April 7th, 1910.

HENRY BRADLEY.—Murder. November term, 1906, Superior Court, Montgomery county. Sentence life imprisonment. Negro killed was a desperate character, having gone to the mill where defendant and others were at work and shot at some of the negroes. Superintendent sent some of the negroes through the swamp where he was hiding, and being located and resisting arrest, was shot and killed. Hon. E. D. Graham, prosecuting attorney, urges clemency. Commutation granted April 15th, 1910.

SHUG BERRY.—Burglary February term, 1909, Superior Court, Butts county Sentence 5 years. Character of the witness upon whose testimony defendant was convicted, renders his guilt extremely doubtful. Eleven of trial jury, prosecuting attorney recommend clemency. On trial of case jury recommended misdemeanor, but judge did not respectfully recommend same. Commutation granted June 4th, 1910.

DORSE PARKER.—Murder. 1896 term Superior Court, Wilkinson county. Sentence life imprisonment. Defendant has served in penitentiary since 1896. Seems to have been convicted on circum-

stances. Had head crushed since being in penitentiary, from which he frequently has convulsions. Trial judge and solicitor endorse application for clemency. County physician states defendant cannot live much longer. Commutation granted April 12th, 1910.

BEN SMARR.—Assault. February term, 1910, Superior Court Monroe county. Sentence 12 months in chain-gang. The entire jury, except one, recommended that fine be reduced below \$100.00. Sheriff also recommends same, county officers, Representatives and other good citizens endorse application. Sentence commuted to payment of \$125.00. Commutation granted April 12th, 1910.

E. F. KING.—Misdemeanor. August term, 1909, Superior Court, Gordon County. Sentence \$700.00 and 9 months. Application for clemency is endorsed by trial jury, together with about 700 citizens of Gordon county. Col. Rankin says that Judge Fite, who presided at the trial, stated to him that he did not oppose commutation. Chain-gang sentence was suspended by trial judge if the defendant would leave the State. Has been absent from State 7 months, and desires to return to his home and county, and promises to never again engage in the sale of liquor direct or indirect.

As Article 1, Section 1, Paragraph 7 of the Constitution of the State of Georgia says "neither banishment beyond the limit of State, nor whipping, as

punishment for crime, shall not be allowed," and as the law does not permit judges of the superior court to suspend sentences, it appears that the trial judge exceeded his authority in this case, and therefore under the circumstances it seems to be a proper case for the exercise of clemency. Commutation to payment of fine granted April 15th, 1910.

EVA BARRY.—Selling liquor. June term, 1909, City Court of Millen. Fine of \$200 and 12 months. Eight of the trial jury recommend commutation, as also does a large number of citizens. She is a poor negro woman and will have to stay in the chain-gang for 12 months. Commutation of sentence to service of 12 months in chain-gang and payments of costs in case. Commutation granted April 15th, 1910.

KATE O'DWYER.—Misdemeanor. October term, Superior Court, Clarke county. Fine of \$1,000, 12 months in chain-gang, and 6 months in jail. Defendant plead guilty in two cases, in one she paid fine of \$200.00. The sentence in the other case, the one noted above, was suspended upon her agreeing to leave county. Her attorney advised at the lapse of 12 months she could return to county, which she did, and is confined in chain-gang. Her application for clemency is indorsed by Solicitor-General and others. Commutation to present service granted April 29th, 1910.

FELIX DAVENPORT.—Assault with intent to murder. Spring term, 1907, Superior Court, Jackson

county. Five years in prison. Solicitor General, trial judge and county commissioners all urge clemency. Commutation to present service granted April 30th, 1910.

ARTHUR COLE.—Misdemeanor. Fall term, 1909, Superior Court, Fannin county. Fine of \$1,000, or 12 months. Defendant has served in gang since October 30th, 1909. In view of long service and good behavior, it is recommended that the sentence be commuted to present service upon payment of \$100. Commutation granted May 5th, 1910.

ELI MULLIS, JR.—Misdemeanor. March term, 1909, Superior Court, Wilcox county. The sentence provided for 12 months in chain-gang, and also that 10 months of the sentence might be commuted on payment of \$250. Commutation granted in accordance with recommendation May 7th, 1910.

TALLY LUKE.—Burglary. March term, 1910, Superior Court, Coffee county. Four months and \$200. Defendant has just passed 15 years of age, and has served more than a month in chain-gang. Grand jury recommended commutation of his sentence to the payment of fine imposed. The goods taken were of the value of about \$12.00 or \$15.00. Commutation to payment of \$200.00 and present service granted May 7th, 1910.

DENNIS HAMILTON.—Misdemeanor. City Criminal Court, April term, 1910. Ten months in gang or

\$50.00. He is a half-witted boy 16 years old without mental capacity to appreciate the offense he committed, or to know he is in chain-gang. Was arrested in Habersham county. Left home without consent and came to Atlanta, was picked up a vagrant and was accused of stealing rooster. Trial judge recommends commutation to present service, which was granted in accordance with recommendation May 9th, 1910.

B. F. TOWLER, WILL HUNT, ALVIN EVANS.—Perjury. Superior Court, Walton county, February term, 1909. Sentence four years. Defendants are all ignorant men overpersuaded to testify falsely by a man of much superior intelligence. They voluntarily pleaded guilty and gave evidence resulting in the indictment of the suborners and the conviction of one of them, who is now serving a 7 years sentence. Trial judge makes statement in person that he thinks it would not be against public interest to commute sentence. Solicitor-General, Representative Edwards and all county officers, together with grand jury and 25,000 citizens of Walton county, all recommend release. Commutation granted May 11th, 1910.

JIM HILL.—Forgery. March term, 1907, Superior Court, McDuffy county. Sentenced to 1 and 4 years. Has had tuberculosis for several months and has been critically ill, and a menace to the other inmates. The attending physician urges his immediate release; county authorities and trial judge do



likewise. Commutation to present service granted May 11th, 1910.

ROLLIE WALDEN.—Simple larceny. January term, 1910, Superior Court, Rockdale county. Sentence four months. Has served three months, and from facts gathered, it is doubtful whether he is guilty. Condition of his wife is such as to need his presence and services. Seven of the jurors, trial judge and large number of good citizens ask that sentence be commuted to present service. Commutation to present service granted May 11th, 1910.

JERRY FARLOW.—Misdemeanor. October term, 1909, Criminal Court, Atlanta. Sentence 8 months. Two cases. Trial judge, prosecuting Solicitor and officers of court, policemen representing case, all recommend commutation. Commutation to present service granted May 13th, 1910.

L. M. BROUGHTON.—Attempt to murder. City Court, Fulton County, January term, 1909. In trial of case, jury recommended punishment for misdemeanor, and he was sentenced to chain-gang for 12 months. A disease has developed since his confinement which renders him unfit for labor. County physicians certify that he has valvular heart trouble, causing general dropsy, and inability to lie down at night, and trial judge and solicitor recommend release. Commutation to present service granted May 13th, 1910.

JOHN GRINER.—Burglary. Fall term Superior Court, 1907, Coffee county. Sentenced to Reformatory. Superintendent writes that he has complied with all requirements. Commutation granted May 16th, 1910.

MRS. R. B. HILL.—Misdemeanor. February term, 1910, City Court, Floyd county. Twelve months chain-gang. She is 48 years of age. Chairman of County Commissioners, Hon. W. M. Gammon and other prominent citizens of Floyd county recommend release. Commutation to present service granted May 16th, 1910.

JOHN CARTER.—Simple larceny August term, 1909, Superior Court, Campbell county. Party was convicted for stealing a small amount of corn from the man which he lived with and feeding to chickens, not over \$1.00 worth. Has served about 8 months, and asks to be discharged on payment of \$20.00. Commutation to present service granted upon payment of \$20.00, May 14th, 1910.

HENRY WHITEHEAD.—Misdemeanor. January term, 1910, Criminal Court, Atlanta. Sentence 12 months in chain-gang or \$50.00. Negro was only 15 or 16 and was convicted for some petty larceny. He is in such condition that he is unable to work, suffering from chronic peritonitis, and county physician requests his discharge. Commutation to present service granted May 18th, 1910.

E. B. RUNYON.—Burglary. April term, 1910, Superior Court, Chatham county. Two cases, six months each. Boy of very respectable parentage in Richmond, Va., came to Savannah about April, 1910, and committed offense above stated. Is about 17 years of age, and was sentenced to Industrial Farm near Savannah. Affidavits of several physicians show that at the time he committed the crime and before said time, was severely demented and that he should be released and removed where he can have surgical attention. Commutation to present service granted June 16th, 1910.

TROY THOMASON.—Subornation of perjury August term, 1909, Superior Court, Walton county. Was convicted mainly on own statement. It appears that he was trying to obtain release of an older brother and perhaps in ignorance of law committed the crime. The trial judge, grand jury, county officers of Walton and Gwinnett county, together with several hundred of the best citizens recommend pardon. Commutation granted June 19th, 1910.

JACK McCLOUD.—Murder. October term, 1905, Superior Court, Telfair county. Life imprisonment. Prosecutor, near relatives of deceased, Solicitor-General, trial jury and all of county officers recommend clemency. Commutation to present service granted June 18th, 1910.

## PAROLES.

BUD COOPER.—Murder. March term, 1903, Superior Court Gwinnett county. Sentence Life Imprisonment. Prisoner has served more than the minimum sentence fixed by law for the crime committed. Two representatives and the former Solicitor who prosecuted him recommend parole, Presiding Judge dead. Parole granted July 7th, 1909.

O'MEIG POWELL.—Manslaughter. Spring term, 1906, Superior Court, Sumter county. Sentence 20 years in prison. Has served more than minimum sentence. Strong petition of citizens urge release. Solicitor General does not object. Parole granted July 28, 1909.

HENRY SMITH.—Burglary. April term, 1909, Superior Court Montgomery. Sentence 15 years in prison. Good conduct of prisoner. Has served more than the minimum sentence. Application indorsed by solicitor-general, county commissioners and others. Parole granted July 29, 1909.

OSCAR ALGREEN.—Burglary. April term, 1907, Superior Court Fulton county. Six years in prison. Has served more than minimum sentence for crime committed with good record in penitentiary. His release is recommended by solicitor-general and officers, also by Rev. Carl Schaefer pastor of church and many good citizens. Parole granted August 7th, 1909.

WALKER BARENTIME.—Voluntary Manslaughter. March term, 1906, Superior Court Coweta county. Sentence 5 years in prison. Has served more than minimum sentence with good record. Physician certifies he has developed tuberculosis. Release is recommended by very large number of citizens. Parole granted August 9th, 1909.

EULACE WALLACE.—Larceny. After Trust. Spring term, 1909, Superior Court Fulton county. Three years in penitentiary. Has served more than minimum sentence for crime committed with good conduct. His release is recommended by solicitor-general, officials of the county, and other prominent citizens. Parole granted August 9th, 1909.

TOM EVANS.—Larceny. March term, 1908 Superior Court Cobb county. Five years in prison. Has served more than minimum sentence fixed by law. Has served a year and six months with good conduct. His release is recommended by Trial Judge, Solicitor General, officers and several hundred citizens of Cobb county. Paroled September 11th, 1909.

TOM ANDERSON. Murder. January term, 1898, Superior Court, Emanuel county. Sentenced to life imprisonment. Has served more than minimum sentence for crime committed with good conduct. His release is recommended by trial judge, prosecuting solicitor, nine jurors, others not being accessible and large number of good citizens. Parole granted September 11th, 1909.

SNOW ALLEN.—Burglary. Spring term, 1902, Superior Court, Jackson county. Sentence 10 years in prison. Has served more than minimum sentence. Presiding judge and large number of citizens recommend his release. Parole granted September 11th, 1909.

EMANUEL MCGHAN.—Murder. April term, 1886, Superior Court, Marion county. Life imprisonment. Has served more than minimum sentence with good conduct. He is growing old, considering the conflict together with his long services. Parole granted September 11th, 1909.

TOL CANNON.—Larceny. March term, 1906, Superior Court, Habersham county. Has served more than minimum sentence fixed by law. Trial judge recommends release, other good citizens do likewise. Parole granted September 11, 1909.

JOHN BICKERS.—Burglary. November term, 1905, Superior Court, Bibb county. Sentence 10 years in prison. Has served more than minimum sentence for crime committed. Trial judge, solicitor-general and county physician recommends release. Parole granted September 11th, 1909.

W. A. MAXWELL.—Voluntary manslaughter. Fall term, 1907, Superior Court, Grady county. Sentence 8 years in prison. Has served more than minimum sentence for crime committed. Previous history and record good. Solicitor-general, trial

judge, jurors and citizens of Grady county recommend his release. Parole granted September 11th, 1909.

ANN TURNER.—Murder. Spring term, 1890, Superior Court, Terrell county. Life imprisonment. Has served more than minimum sentence for crime committed and is now 60 years of age. Her pardon is recommended by solicitor-general, all the jurors except one who is not accessible. Parole granted October 12th, 1909.

CHARLIE HAMILTON.—Burglary. Fall term, Superior Court, 1908, Fulton county. Sentence four years in prison. Has served more than minimum sentence for crime committed. The jury recommended that he be punished as for misdemeanor, but the judge did not so sentence him. His mother is very old, a widow with sick daughter, and no other members to support her. Parole granted November 13th, 1909.

HENRY PATTERSON.—Murder. July term, 1896, Superior Court, Hall county. Life imprisonment. Has served more than minimum sentence for crime committed. Has been a prisoner for 14 years. Presiding judge and prosecuting attorney say that they think he has served long enough. Parole granted November 2d, 1909.

CHARLES SWANSON.—Voluntary manslaughter. Spring term, 1905, Campbell county. Sentence nine

years in prison. Has served more than minimum sentence for crime committed. Presiding judge, prosecuting solicitor, most of the trial jury, warden and many good citizens recommend his release. Parole granted November 13th, 1909.

JESSE CLARKE.—Assault to murder. October term, 1906, Superior Court, Jones county. Sentence five years in prison. Has served more than minimum sentence. Trial judge, solicitor-general and the prosecutor, trial jury and others ask release. Parole granted November 16th, 1909.

PHILLIP JEMISON.—Burglary. November term, 1905, Superior Court, Muscogee county. Sentence five years in prison. Capt. Wyly Williams who prosecuted defendant and others say he is of weak mind. Parole granted November 16th, 1909.

MOLLIE FARMER.—Murder. April term, 1888, Superior Court, Fulton county. Life imprisonment. Was convicted for killing infant child. Has served over 22 years. She has always protested her innocence. Her pardon is recommended by warden, superintendent and others of the State farm, by solicitor-general Chas D. Hill. Parole granted December 9th, 1909.

JOHN NELMS.—Felony. Spring term, 1905, Superior Court, Webster county. Fifteen years in prison. Has served more than minimum sentence with good record. His release would not be incom-



patible with welfare of society. Parole granted December 9th, 1909.

WILLIE MORGAN.—Larceny. Spring term, 1909, Superior Court, Fulton county. Three years in prison. Has served more than minimum sentence for crime committed. Judge Roan now considers the case misdemeanor and advises pardon. Boy only 13 years old when crime was committed. Parole granted December 13th, 1909.

WESLEY PIERCE.—Murder. Fall term, 1898, Superior Court, Fulton county. Life imprisonment. Has served more than minimum sentence with good record. Was 14 years old when crime was committed when under aggravating circumstances. Parole is recommended by solicitor-general and citizens. Parole granted December 20th, 1909.

JAMES A. GOSSETT.—Voluntary manslaughter. December term, 1903, Superior Court, Muscogee county. 16 years in prison. Circumstances of conviction show great provocation. Previous history and present record good. Paroled December 20th, 1909.

ALBERT ANDERSON.—Burglary. February term, 1907, Superior Court, Muscogee county. Five years. Has served more than minimum sentence with good record. Physicians say that his health is not good and that he is suffering considerably with serious disease which requires his release. Paroled December 20th, 1909.

JAMES LOCKETT.—Murder. June term, 1907, Superior Court, Bibb county. Life imprisonment. Has served more than minimum sentence for crime committed. Previous history and present record good. Release is recommended by a petition of 200 citizens and the judge with solicitor-general say that in their opinion the offense committed was that of manslaughter. Parole granted December 21st, 1909.

ARTHUR JOHNSON.—Voluntary manslaughter. Fall term, 1900, Superior Court, Floyd county. 15 years in penitentiary. Has served more than minimum sentence with good record. Release is recommended by trial judge, solicitor-general, nine of the jurors. Parole granted December 21st, 1909.

JOHN HOLDER.—Voluntary manslaughter. January term, 1905, Superior Court, Laurens county. Fifteen years in penitentiary. Previous history and present prison record good. The testimony shows that the deceased used very insulting language about defendants wife. Judge, county officers and a number of citizens recommend his release. Parole granted December 21st, 1909.

PARKER LEWIS.—Murder. Spring term, 1903, Superior Court, Hancock county. Life imprisonment. Has served more than minimum sentence with good prison record. The grand and traverse jury recommend parole, presiding judge is dead. The record discloses that a witness who was not sworn in on the trial states that the deceased made an effort to strike

defendant with a piece of rail. Forming considerable doubt upon legality of the Supreme Court of murder. Parole granted January 12th, 1910.

MARY DURDEN.—Murder. Spring term, 1900, Supreme Court of Camden county. Life imprisonment. Has served more than minimum sentence. Previous history and present record good, and defendant is in the last stage of consumption. Paroled January 11th, 1910.

CARRIE LOCKLIER.—Vagrancy. December term, 1909, City Court, Floyd county. Confinement in chain-gang. Has served more than minimum sentence with good conduct. She is a young girl, who at the request of Hugh S. Wallace of Rome, Ga., will go to Barclay Memorial Home. Presiding judge strongly urges this course. Parole granted February 21st, 1910.

MINNIE SMITH.—Vagrancy. December term, 1909, City Court, Floyd county. Confinement in chain-gang. Has served more than minimum sentence with good conduct. She is a young girl, who at the request of Hugh S. Wallace of Rome, Ga., will go to Barclay Memorial Home. Presiding judge strongly urges this course. Parole granted February 21st, 1910.

NEWTON ROBINSON.—Burglary. October term, 1908, Superior Court, Houston county. Seven years in prison. Has served more than minimum sentence with good record. Presiding judge recommends

parole. County physician says he is suffering to a great extent from rheumatism, same statement by warden. Judge Calhoun, Hon. Clark Howell, Solicitor Hill, Judge Reed, Hon. Arnold Broyles, Hon. Lowry Arnold and others of prominence ask clemency. Parole granted February 26th, 1910.

DAVE PETERS.—Murder. Spring term, 1899, Superior Court, Emanuel county. Life imprisonment. Has served more than minimum sentence with good record. Judge E. D. Evans who presided at the trial and others indorse application. Paroled March 5th, 1910.

WILL SMITH.—Murder. November term, 1902, Superior Court, Bibb county. Life imprisonment. Has served 17 years with good prison record. Presiding judge, prosecuting solicitor and some of the jury and other good citizens recommend pardon. Parole granted March 7th, 1910.

ALLEN ROCKMORE.—Burglary April term, 1907, Superior Court, Jones county. Seven years. Has served more than minimum sentence with good record. Trial judge, solicitor-general and prosecutor and others ask release. Parole granted April 6th, 1910.

BEN ATKINSON.—Murder. November term, 1894, Superior Court, Bryan county. Has served more than minimum sentence with good record. Application is indorsed by judge of the City Court, nine of his

members, member of the legislature of Bryan county, sheriff, and various good citizens, senator and many officers of Emanuel county where defendant formerly lived and is now stationed. Parole granted April 7th, 1910.

CHARLES HAMILTON.—Burglary. Fall term, 1908, Superior Court, Fulton county. Four years. Has served more than minimum sentence with good record. His mother is very old and a widow with sick daughter and no members of the family to support her. A great number of officers of Fulton county and a number of citizens recommend release. Parole granted April 19th, 1910.

ENOCH SANDERS.—Assault with attempt to murder. March term, 1908, Superior Court, DeKalb county. Has served more than minimum sentence with good record. Trial judge, solicitor-general, trial jury and a large number of citizens of DeKalb county recommend release. Parole granted April 14th, 1910.

JOHN THOMAS.—Burglary. Fall term, 1908, Superior Court, Fulton county. Three years. Has served more than minimum sentence with good record. Was only 16 years old at time of conviction, served about 18 months with good record. His mother is old and paralyzed and needs his support. Solicitor general recommends pardon. Parole granted April 18th, 1910.

WILL JONES.—Burglary. Spring term, 1908, Superior Court, Richmond. Five years. Has served more than minimum sentence fixed by law. Presiding judge, solicitor-general and others recommend parole. Paroled May 16th, 1910.

ROLLIN KNIGHT.—Larceny December term, 1909, City Court, Atlanta. Eight months. Has served more than minimum sentence for crime committed. Presiding judge, arresting officers indorse application. Amount of property involved about 90 cents. Parole granted May 16th, 1910.

JOHN W. ROWE.—Burglary. March term, 1908, Superior Court, Fulton county. Fulton reformatory. Has served over two years and more than the minimum sentence for crime committed. Boy only 19 years of age and always maintained that he was innocent. Members of county commission together with best citizens of Fulton county recommend his release. Parole granted May 18th, 1910.

GEORGE PALMER.—Murder. Fall term, 1901, Superior Court Emanuel county. Life imprisonment. Has served more than minimum sentence with excellent record. Ten of the jury recommend his pardon. Judge Beverly D. Evans, who presided at the trial sign his application, a large number of citizens, several officers of county ask his release. Parole granted May 20th, 1910.

## RESPITES.

W. H. MITCHELL.—Assault and battery. Fall term, 1909, Superior Court, Thomas county 12 months on chain-gang. Respite granted September 1st, 1909, in order to give opportunity for prison commission to consider application for clemency. Date of respite August 10th, 1909; again on September 4th, 1909, in order to give executive time to consider application for clemency.

J. B. KELLOGG. Murder. Superior Court, Cherokee county Fall term, 1909. Respite granted until November 19th, 1909, in order to give prison commission and executive time in which to consider application for commutation to life imprisonment in accordance with the recommendation of trial Judge Morris. Date of respite October 9th, 1909.

JOE GREER.—Concealed weapon. March term, 1909, City Court Monticello. Eight months chain-gang. In order to give prison commission and executive time to consider application for clemency, on the grounds of new evidence seeking to establish innocence of defendant. Respite dated October 19th, 1909, and postponed execution of sentence until October 20th, 1909.

MITCHELL CATCHINGS. Selling whiskey March term, 1909, City Court, Monticello. 12 months chain-gang. In order to give prison commission and executive time to consider application for clemency upon

the grounds of defendant suffering from tuberculosis. Respite dated October 19th, 1909, and of force until November 1st, 1909.

GEORGE GOOLSBY.—Murder. May term, 1909, Superior Court, Upson county. In order to give prison commission and executive time in which to consider application for commutation to life imprisonment. Respite dated January 4th, 1910, and of force until January 14th, 1910.

GEORGE BURGE.—Murder. Superior Court, Fulton county, fall term, 1909. In order to give attorneys' for defendant opportunity to present application for commutation to prison board and have same considered by prison commission and executive. Respite dated January 6th, 1910, of force January 21st, 1910, and January 15th, 1910, and of force January 28th, 1910. In order to give prison commission and executive time in which to consider additional motion and grounds for commutation to life imprisonment. Respite dated January 15th, 1910, and of force January 24th, 1910; again January 27th, 1910, in order to give the Supreme Court time in which to consider and pass upon bill of exceptions while in case. Date of respite January 27th, 1910, and of force until Friday, March 25th, 1910, and again March 24th, 1910, in order to give Supreme Court additional time in which to pass upon branch of case submitted to that court. Date of respite March 24th, 1910, and of force until April 15th, 1910.



WILLARD WEBB.—Rape. Fall term, 1909, Superior Court, Cobb county. Sentenced to be hanged. In order to give prison commission and executive time in which to consider application for commutation to life imprisonment, on evidence alleging alibi. Respite dated February 3d, 1910, and of force until February 18th, 1910.

E. F. KING.—Selling whiskey. August term, 1909, Superior Court, Gordon county. In order to give prison commission and executive time in which to consider application for commutation, and on account of sickness of attorney for King. Respite dated March 17th, 1910, of force April 16th, 1910.

JOHN SUPPLE.—Murder. February term, 1909, Superior Court, Jeff Davis county. Sentenced to be hanged. In order to give attorneys' for defendant an opportunity to prepare testimony and submit an application for commutation, and time for prison commission and executive to pass upon the merits of clemency application. Respite dated March 25th, 1910, and of force until April 22d, 1910; and again on April 19th, 1910, in order to give prison commission additional time for investigation of evidence in case and of force until April 6th, 1910.

HENRY PATTERSON.—Murder. November term, 1909, Superior Court, Sumter county. In order to give prison commission and executive time in which to consider application to commutation to life imprisonment, on application claiming newly discov-

ered evidence. Respite dated April 25th, 1910 and of force May 31st, 1910.

JESSE COOK.—Murder. January term, 1910, Superior Court, Bartow county. In order to give prison commission and executive time in which to consider application for commutation to life imprisonment. Respite dated May 19th, 1910, and of force June 17th, 1910.

FRANK BROOKS.—Murder. August term, 1909, Superior Court, Fulton county. In order to give prison commission and executive time in which to pass upon application for commutation to life imprisonment, chairman being sick, and temporarily unable to act. Respite dated June 1st, 1910, and of force June 17th, 1910.

DR. J. M. ELLIOTT.—Murder. November term, 1908, Superior Court, Troup county. Respite granted until September 10th, 1909, for the hearing and consideration of application of commutation to life imprisonment; again on September 7th, 1909, until October 8th, 1909, on account of the sickness of Hon. W. D. McNeal counsel for the defendant and the application for clemency; again on October 4th until October 22d, 1909, in order to allow the prison commission and executive time for the consideration of application for life sentence; again October 20th, 1909, until November 15th, 1909, on grounds to give expert physicians an opportunity to make examination as to the sanity of the defendant and re-

port same to the proper authorities; again on November 5th, 1909, until November 19th, 1909, on account of physician's certificate of the defendant had attempted suicide, by taking poison on November 4th, rendering his mental and physical condition such as to make the enforcement of the law in this case act repugnant to our civilization.

JOHN HARPER.—Murder. August term, Superior Court, Murray county, 1909. Respite granted until October 8th, 1909, in order to give prison commission and executive time in which to consider application for commutation to life imprisonment, on grounds of newly discovered evidence; again October 4th, 1909, until October 22d, 1909, in order to give prison commission and executive time for consideration of application for commutation to life imprisonment.

WILL HOLT.—Misdemeanor. July term, 1909, City Court, Monticello. In order to give attorney for defendant an opportunity to prepare testimony to submit to prison commission and executive and give them time to consider application for commutation. Respite dated January 5th, 1910, of force January 15th, 1910.

ROGER MERRITT.—Rape. Superior Court, Fulton county, 1910. In order to give prison commission and executive time in which to pass upon application for commutation to life imprisonment. Respite dated May 4th, 1910, of force June 17th, 1910; and

again on June 16th, 1910, and of force June 24th, 1910, in order to give judge and solicitor time to investigate testimony as to mistaken identity and have same passed upon by prison commission and executive.

(APPENDIX B.)

REPORT OF THE NEW CODE COMMISSION.

TO HIS EXCELLENCY,

JOSEPH M. BROWN,

*Governor.*

We, the undersigned Commission, appointed in pursuance of an Act of the General Assembly approved August 14, 1909, to examine and report on a new Code of Georgia, codified by Hon. John L. Hopkins, submit the following report:

Since the last session of the General Assembly we have met in the Capitol in Atlanta from time to time and have reviewed with Judge Hopkins the entire work done by him in codifying the laws of Georgia, as provided for in the above Act, and after completing this work we beg to report that we believe the work to be as complete and accurate as it has been painstaking and careful.

We have examined the Code of 1895 and noted

every proposed addition to this Code, and every part proposed to be omitted, and where additions were made, we examined with Judge Hopkins the Act from which said additions were proposed and in every case we examined the authority for proposed omissions from the Code of 1895. In this manner we are satisfied that all the laws of a general nature now of force in Georgia are included and that all laws of a general nature which have been repealed or which have been declared unconstitutional or have been clearly superseded, have been properly omitted.

We also report that the work of arranging the different sections, placing the new laws in their appropriate places, under their proper titles, and the renumbering of the sections, has been satisfactorily done.

This Commission approves the arrangement proposed by Judge Hopkins by which the Code will be published in two volumes, the first volume to contain the political and civil laws, together with the Code of civil practice, the rules of courts, and the Federal and State Constitutions; the second volume to contain the penal laws, and the laws of procedure in criminal cases together with the laws governing the working and control of convicts, the laws pertaining to the public defense, and the pension laws.

We, therefore, certify that we have carefully examined a new Code of Georgia, codified by Hon. John L. Hopkins, and are satisfied that said Code embraces all the general laws of a permanent nature in the present three volumes of the Code of 1895,

not repealed and still of force, together with all the general Acts and amendments of a permanent nature since enacted, including the Acts of the session of the General Assembly of 1909 properly arranged and with the sections properly numbered, and all appropriate marginal references to Acts, decisions and cognate sections, and the Constitution of the United States, and of the State of Georgia, and all amendments thereto, the rules of the Supreme Court, the Court of Appeals, and the Superior Court, with a complete index to said Code; and we hereby deliver said Code with this report to Your Excellency.

Atlanta, Ga., June 15th, 1910

H. A. MATHEWS,

W. H. BURWELL,

*Commissioners on the part of the Senate.*

W. F. BROWN,

A. A. LAWRENCE,

W. R. JONES,

*Commissioners on the part of the House of  
Representatives.*

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

The following committee assignments were made by the Speaker:

Hon. E. B. Martin, of the County of Lee, was assigned to the Committees on

Agriculture,  
Corporations,  
Penitentiary,  
Railroads,  
Labor and Labor Statistics,  
Georgia State Sanitarium,  
Counties and County Matters.

Hon. D. C. Pickett, of the County of Terrell, was assigned to the Committees on

Education,  
Insurance,  
Ways and Means,  
Game and Fish,  
Georgia School for Deaf,  
University of Georgia and its Branches,  
Temperance.

Hon. Roy D. Stubbs, of the County of Putnam,  
was assigned to the Committees on

University of Georgia and its Branches,

General Judiciary,

Counties and County Matters,

Appropriations,

Penitentiary,

Insurance.

The following resolution was read and unanimously adopted, to-wit:

By MESSRS. STUBBS, of Putnam,

ATKINSON, of Morgan,

VINSON, of Baldwin,

TURNER, of Jones.

Be it resolved by the House of Representatives,  
That out of respect to the memory of the late Hon.  
A. S. Reid, a member of this House from Putnam  
County, who died since the last session, as a token of  
respect the House do now adjourn.

Resolved further, That on Wednesday, June 29, at  
11 o'clock, all the business be laid aside, and the  
House hold a memorial session in honor of the de-  
ceased, and hear remarks from the members on his  
life and character.



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Sacred to the Memory

of

Honorable A. S. Reid.

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Leave of absence was granted

Messrs—

ROSSER,

REID, of Macon.

MIDDLEBROOKS,

The Speaker then announced the House adjourned out of respect for the memory of Hon. A. S. Reid, of Putnam, deceased, until 10 o'clock to-morrow morning.

ATLANTA, GEORGIA,

THURSDAY, JUNE 23rd, 1910.

The House met pursuant to adjournment at 10 o'clock a. m. this day, was called to order by the Speaker and opened with prayer by Rev. J. J. Bennett, of Atlanta.

The roll was called and the following members answered to their names:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Adams               | Brown of Murray | English               |
| Alexander of DeKalb | Burch           | Evans                 |
| Alexander of Fulton | Butt            | Fairecloth            |
| Allen               | Buxton          | Fender                |
| Alley               | Calbeck         | Field of DeKalb       |
| Anderson of Bullock | Cannon          | Fields of Crisp       |
| Anderson of Chatham | Carswell        | Ford                  |
| Armistead           | Carter          | Fullbright            |
| Atherton            | Chandler        | Garlington            |
| Atkinson            | Childs          | Gastley               |
| Auli                | Convers         | Gillis                |
| Barksdale           | Cooke           | Godley                |
| Bagley              | Cordell         | Graddick              |
| Bailey              | Couch           | Griffin of Sumter     |
| Baker               | Cowan           | Griffin of Twiggs     |
| Barrett             | Culberson       | Guyton                |
| Beacham             | Cureton         | Hall                  |
| Bell                | Daniel          | Hardeman of Jefferson |
| Berry               | Davis           | Hardman of Jackson    |
| Booker              | Dickson         | Harrington            |
| Boyd                | Drawdy          | Harvey                |
| Brinson of Decatur  | Edmondson       | Hatfield              |
| Brinson of Emanuel  | Edwards         | Heard                 |
| Brown of Carroll    | Elder           | Helms                 |
| Brown of Fulton     | Ellis           | Henderson of Irwin    |
| Brown of Henry      | Ellison         | Henderson of Turner   |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Hendricks             | Moore               | Rosser            |
| Hill                  | Moss                | Sheppard          |
| Holder of Floyd       | MacFarland          | Shirley           |
| Holtzelaw             | MacIntyre           | Simmons           |
| Howell                | McArthur            | Simpson           |
| Hubbard               | McCarthy            | Slade             |
| Hullender             | McConnell           | Smith of Gilmer   |
| Huie                  | McCrory             | Smith of Tattnall |
| Johnson of Bartow     | McCurry             | Smith of Walton   |
| Johnson of Jeff Davis | McCutchen           | Stovall           |
| Johnson of Towns      | McElreath           | Strong            |
| Joiner                | McMahan             | Stubbs            |
| Jones of Laurens      | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Marion | Tarver            |
| Jones of Mitchell     | McWhorter           | Tippins           |
| Keith                 | Olive               | Tracey            |
| Kelley                | Parker of Decatur   | Tuggle            |
| Kendrick              | Parker of Talbot    | Turner            |
| Kennedy               | Paulk               | Turnipseed        |
| Kicklighter           | Peacock             | Upshaw            |
| Kidd                  | Persons             | Vinson            |
| Kirby                 | Pickett             | Waddell           |
| Lawrence              | Pierce              | Walters           |
| Lewis                 | Popa                | Warden            |
| Littleton             | Porter              | Watkins           |
| Lord                  | Price               | White of Screven  |
| Lovejoy               | Proctor             | Whiteley          |
| Martin                | Reaves              | Wight of Grady    |
| Meadows of Telfair    | Redding             | William           |
| Meadows of Toombs     | Reese               | Wohlwender        |
| Middlebrooks          | Reid of Campbell    | Wood              |
| Miller of Calhoun     | Reid of Macon       | Woodliff          |
| Miller of Ware        | Rentz               | Wright of Floyd   |
| Milikin               | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |

Mr. Minter was absent.

The Journal of yesterday's proceedings was read and confirmed.

The following resolutions was read and adopted,  
to-wit:

By Mr. Alexander, of DeKalb—

A resolution providing for the appointment of a page whose duty it shall be to await upon the Speaker.

By Mr. Tuggle—

A resolution thanking Hon. B. M. Blackburn for flowers..

The following resolutions were read the first time,  
to-wit:

By Mr. Boyd, of Spalding—

A resolution to take House Bill No. 7 from the foot of the Calendar and put it upon its passage immediately.

Referred to Committee on Rules.

By Mr. Anderson, of Chatham—

A resolution to fix Senate Bill No. 3 as a special and continuing order for June 30th immediately after the reading of the Journal.

Referred to Committee on Rules.

A memorial from the members of the First African Baptist Church of Columbus, praying the General Assembly not to permit that part of 11th street near their church to be closed, was read.

Under the head of unfinished business the following bills were read the first time, to-wit:

By Mr. Vinson—

A bill to appropriate \$15,000.00 to the Trustees of the State Sanitarium for the construction of a reservoir.

Referred to Committee on Appropriations.

By Mr. McMahan—

A bill to appropriate \$5,000 to the Trustees of the State University for equipping the Carnegie Library.

Referred to Committee on Appropriations.

By Mr. McMahan—

A bill to amend an Act providing for a local Board of Trustees of the State Normal School.

Referred to Committee of University of Georgia and Branches.

By Mr. Huie, of Clayton—

A Bill to create a Board of Commissioners of Roads and Revenues for Clayton County.

Referred to Committee on Counties and County Matters.

By Mr. Hullender, of Catoosa, and Baker, of Lumpkin—

A bill to repeal Paragraph 52, Section 2, of an Act to levy and collect a tax for the support of the State Government, etc.

Referred to Committee on Ways and Means.

By Mr. Anderson, of Chatham—

A bill to amend an Act to levy and collect a tax for 1909 for the support of the State Government, etc.

Referred to Committee on Ways and Means.

By Mr. Drowdy, of Clinch—

A bill to repeal Section 52 of the General Tax Act for 1909 and 1910.

Referred to Committee on Ways and Means.

By Messrs. McCrary, of Schley and Kirby, of Coweta.

A bill to repeal Section 52 of the General Tax Act for 1909 and 1910.

Referred to Committee on Ways and Means.

By Mr. Upshaw, of Douglas—

A bill to amend Paragraph 52, Section 2, of the General Tax Act of 1909.

Referred to Committee on Ways and Means.

By Mr. McElreath—

A bill to amend an Act providing for an Ordinary pro hac vice in cases of disqualified Ordinaries.

Referred to Committee on Special Judiciary.

By Mr. Alexander, of Fulton—

A bill to amend Section 2776 of the Civil Code of 1895.

Referred to Committee on Special Judiciary.

By Mr. McWhorter, of Greene—

A bill to amend Section 5182 of the Code of 1895.



Referred to Committee on Special Judiciary.

By Mr. Adams, of Hall—

A bill to amend an Act to create the City Court of Hall county

Referred to Committee on Special Judiciary.

By Mr. Lawrence, of Chatham—

A bill to create a Fireman's Relief Fund in cities having a regular organized fire department.

Referred to Committee on Insurance.

By Mr. Adams, of Hall—

A bill to amend Paragraph 52. Section 2, of the General Tax Act for 1909.

Referred to Committee on Ways and Means.

By Mr. Adams, of Hall—

A bill to regulate the running of Automobiles, etc., in Hall County, etc

Referred to Committee on Roads and Bridges.

By Mr. McMahan—

A bill to appropriate \$5,000 to the Trustees of the University of Georgia to maintain a Correspondence School in the Common Schools.

Referred to Committee on Appropriations.

By Mr. Adams, of Hall—

A bill to amend an Act to create an Agricultural Experiment Station.

Referred to Committee on General Agriculture.

By Mr. Adams, of Hall—

A bill to incorporate the town of Candler.

Referred to Committee on Corporations.

By Mr. McCutcheon, of Heard—

A bill to provide in what cases counties shall be chargeable with the expense of arrests, etc.

Referred to Committee on Counties and County Matters.

By Mr. Adams, of Hall—

A bill to authorize the County of Hall to issue bonds for building public roads.

Referred to Committee on Corporations.

By Mr. Rogers, of Randolph—

A bill to incorporate the town of Carnesia.

Referred to Committee on Corporations.

By Messrs. Faircloth and Joiner, of J—

A bill to repeal Section 52 of the General Tax Act of 1909, relating to the tax on dogs.

Referred to Committee on Ways and Means.

By Mr. Williams, of Madison—

A bill to repeal an Act to create the City Court of Danielsville.

Referred to Committee on Special Judiciary.

By Mr. Harrington, of Liberty—

A bill to change the time of holding the fall term of the Superior Court of Liberty County.

Referred to Committee on Counties and County Matters.

By Mr. Harrington—

A bill to protect fish against drift nets.

Referred to Committee on Game and Fish.

F Mr. Moss. of Cobb—

A bill to prescribe the punishment for all felonies where the punishment is not capital.

Referred to Committee on General Judiciary

By Mr. McMichael, of Marion—

A bill to repeal an Act to elect County School Commissioners by the people.

Referred to Committee on Education.

By Mr. McIntyre, of Thomas—

A bill to amend an Act to amend Section 2059. Volume 2, of Code.

Referred to Committee on Counties and County Matters.

By Mr. Boyd, of Spalding—

A bill to consolidate the laws creating the charter of Griffin.

Referred to Committee on Corporations.

By Mr. Ault, of Polk—

A bill to amend Section 813 of the Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Boyd, of Spalding—

A bill to amend an Act to create Board of Commissioners of Spalding and Butts Counties.

Referred to Committee on Counties and County Matters.

By Mr. Boyd, of Spalding—

A bill to appropriate \$10,000 to the Board of Directors of the Experimental Station so as to enlarge its sphere of influence.

Referred to Committee on Appropriations.

By Mr. Barrett, of Stephens—

A bill to require Fire Insurance Companies doing business in this State without capital stock to do business on assessment plan.

Referred to Committee on Insurance.

By Mr. Edwards, of Walton—

A bill to provide for the creation of liens in favor of blacksmiths.

Referred to Committee on General Judiciary.

By Mr. Edwards, of Walton—

A resolution tendering the use of the hall of the House to the Grand Lodge of Odd Fellows.

The above resolution was adopted.

By Messrs. Lawrence, of Chatham, Brown, of Carroll, Jones, of Meriwether—

A bill to adopt and make of force the Code of laws prepared by John L. Hopkins.

Referred to Committee on General Judiciary.

By Mr. Edwards, of Walton—

A bill to amend the Constitution so as to authorize the State to create a debt of \$600,000 to supply casual deficiencies in revenue.

Referred to Committee on Amendments to Constitution.

By Mr. Edwards—

A bill to amend the Tax Act of 1909 relative to taxation of dogs.

Referred to Committee on Ways and Means.

By Messrs. Price and Johnson, of Bartow—

A bill to require applicants for pardon to give notice by publication of same.

Referred to Committee on Penitentiary.

By Mr. Henderson, of Turner—

A bill to amend an Act to create a Board of Commissioners for Turner County.

Referred to Committee on Counties and County Matters.

By Mr. Rogers, of Randolph—

A bill to create the City Court of Cuthbert.

Referred to Committee on Special Judiciary.

By Mr. Hatfield, of Coffee—

A bill to amend an Act to create the City Court of Douglas.

Referred to Committee on Special Judiciary.

By Mr. Smith, of Gilmer—

A bill to create the City Court of Ellijay.

Referred to Committee on Special Judiciary.

By Mr. Persons, of Monroe—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Monroe County.

Referred to Committee on Counties and County Matters.

By Mr. Henderson, of Turner—

A bill to incorporate the town of Sycamore.

Referred to Committee on Corporations.

By Mr. Henderson, of Turner—

A bill to repeal an Act to incorporate the town of Sycamore.

Referred to Committee on Corporations.



By Mr. Wight, of Grady—

A bill to amend the Charter of the town of Grady

Referred to Committee on Corporations.

By Mr. Porter, of Floyd—

A resolution to create new Committee to be known as Committee on Dogs.

Referred to Committee on Rules.

By Messrs. Lord and Joiner—

A bill to incorporate the Tennille School District.

Referred to Committee on Education.

By Mr. Henderson—

A bill to create a new charter for the town of Worth.

Referred to Committee on Corporations.

By Mr. Butt, of Fannin—

A resolution providing for a change in United States Constitution so as to provide for the election of United States Senators by the people.

Referred to Committee on Amendments to Constitution.

By Mr. Alexander, of DeKalb—

A resolution to propose an amendment to the Constitution to establish the right of recall.

Referred to Committee on Amendments to Constitution.

By Messrs Barksdale and Booker, of Wilkes—

A bill to amend an Act to create the City Court of Washington.

Referred to Committee on Special Judiciary.

By Mr. Hatfield, of Coffee—

A bill to fix the salary of the treasurer of Coffee County.

Referred to Committee on Counties and County Matters.

By Mr. Jones, of Meriwether—

A bill to amend an Act to fix the salary of the Stenographer to the State Bank Examiner.

Referred to Committee on Appropriations.

The following communication from Hon. Jno. Lindsey was received and read:

PENSION OFFICE,

June 23, 1910.

*To the House of Representatives—*

MR. SPEAKER: In pursuance of a resolution of the House of Representatives passed at the last Session, a number of resolutions on the subject of Special Pensions were turned over to the Commissioner of Pensions to be passed on by him and such as he might approve to be paid by the Governor. A list of those approved and paid is hereto attached marked exhibit "A."

He submits herewith such of those resolutions that in his judgment, under the Act, he could not pass on and approve for payment that they may be disposed of by the House of Representatives in their order.

Respectfully submitted,

J. W. LINDSEY,

Commissioner of Pensions.

## EXHIBIT "A."

List of Resolutions Passed on and Approved for  
Payment, August 19, 1910.

A resolution by Messrs. Kirby &amp; Couch—

To pay Mrs. John M. Cornell----- \$60.00

A resolution by Mr. Evans—

To pay Mrs. G. W. Hendricks----- 60.00

A resolution by Mr. Harrington—

To pay Mrs. Evelyne Dasher----- 60.00

A resolution by Mr. Upshaw—

To pay Mrs. W. C. Baggett----- 60.00

A resolution by Mr. Rogers—

To pay Mrs. Aaron Renew----- 60.00

A resolution by Mr. Stubbs, of Thomas—

To pay Mrs. Elizabeth Law----- 60.00

A resolution by Mr. Upshaw—

To pay Mrs. Ben Wadkins----- 60.00

A resolution by Mr. Hardeman—

To pay Mrs. Sallie Wallace----- 60.00

A resolution by Messrs. Hardeman and  
Holder—

To pay Mrs. M. L. Hughes----- 60.00

A resolution by Mr. Redding—

To pay Mrs. Mattie Beckham----- 60.00

A resolution by Mr. Armstead—

To pay Mrs. M. J. McCarty----- 60.00

A resolution by Mr. Armstead—

To pay Mrs. W. J. Martin----- 60.00

A resolution by Mr. Edmundson—

To pay Mrs. Eliza Lee----- 60.00

A resolution by Mr. McElreath—

To pay Mrs. M. T. Morris----- 60.00--

A resolution by Mr. McMichael, of Butts—

To pay Mrs. Lucinda James----- 60.00

A resolution by Mr. McFarland—

To pay Mrs. Lenora Britt----- 60.00

The following bills were read the third time and  
put upon their passage, to-wit:

By Messrs. Tippins, of Appling; Butt, of Fannin,  
McIntyre, of Thomas—

A bill to amend the Constitution so as to provide for bi-ennial sessions.

Mr. Anderson, of Chatham, moved that consideration of the above bill be postponed until July 6th, which motion was lost.

Mr. Anderson then moved to table the bill, which motion was also lost.

The following amendments were proposed by the Committee, which were adopted, to-wit:

To amend Section 1 of said Act as follows: By adding between the figures 1911 and the word “and” in tenth line of said Section the words “at the capitol.”

Also,

To amend said Section by adding after the word “law” in line 11 of said Section the following words: “In cases of destruction of the capitol or epidemics, invasion, insurrection or war when its meeting at the capitol may be impracticable or inadvisable, the Governor may convene them at such place in the State as he may deem best, so that when said Section is so amended it shall read as follows:

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That Paragraph 3, of Section 4, Article 3, of the Constitution of this State be, and the same is hereby repealed, and the following paragraph be inserted in said article in lieu thereof: Paragraph 3. *Meeting of the General Assembly.*—The first meeting of the General Assembly, after the ratification of this amendment to the Constitution shall be on the fourth Wednesday in June, 1911, at the capitol, and bi-ennially thereafter on the same day until the day shall be changed by law. In cases of destruction of the capitol or epidemics, insurrection or war when its meetings at the capitol may be impracticable or inadvisable, the Governor may convene them at such place in the State as he may deem best. No session of the General Assembly shall continue longer than sixty days; *Provided*, that if an impeachment trial is pending at the end of the sixty days, the session may be prolonged until the completion of said trial.”

Mr. Sheppard called for the previous question, which call was sustained.

Mr. Hall, of Bibb, moved that the session be extended until the above bill be disposed of, which motion prevailed.

The main question was then ordered on Mr. Sheppard's motion.

On agreeing to the report of the Committee which was favorable to the passage of the bill as amended, Mr. Lewis, of Hancock, called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Anderson of Chatham | Field of DeKalb     | MacIntyre         |
| Armistead           | Ford                | McCutchen         |
| Atherton            | Garlington          | Parker of Decatur |
| Ault                | Gastley             | Persons           |
| Barksdale           | Godley              | Pickett           |
| Bailey              | Graddick            | Porter            |
| Barrett             | Hardeman of Jeffs'n | Priest            |
| Bell                | Harrington          | Redding           |
| Booker              | Henderson of Irwin  | Reese             |
| Brown of Murray     | Hubbard             | Roberts           |
| Butt                | Johnson of Bartow   | Simmons           |
| Buxton              | Johnson of Towns    | Simpson           |
| Carter              | Joiner              | Strong            |
| Chandler            | Keith               | Tarver            |
| Childs              | Kennedy             | Tippins           |
| Converse            | Kiekligher          | Tuggle            |
| Culberson           | Kirby               | Turner            |
| Cureton             | Lewis               | Turnipseed        |
| Daniel              | Lovejoy             | Upshaw            |
| Drawdy              | Meadows of Toombs   | Waddell           |
| Edmondson           | Miller of Calhoun   | Watkins           |
| Edwards             | Miller of Ware      | Wight of Grady    |
| English             | Milikin             |                   |
| Fairecloth          | Mitchell            |                   |

Those voting in the negative were Messrs.:

|                     |                    |                |
|---------------------|--------------------|----------------|
| Adams               | Bagley             | Brown of Henry |
| Alexander of DeKalb | Berry              | Calbeck        |
| Alexander of Fulton | Brinson of Decatur | Cannon         |
| Allen               | Brinson of Emanuel | Carswell       |
| Alley               | Brown of Carroll   | Cordell        |
| Atkinson            | Brown of Fulton    | Couch          |



|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Cowan               | Kelley              | Peacock           |
| Dickson             | Kendrick            | Pope              |
| Elder               | Kidd                | Proctor           |
| Ellison             | Littleton           | Reaves            |
| Evans               | Lord                | Reid of Macon     |
| Fields of Crisp     | Martin              | Sheppard          |
| Fullbright          | Moore               | Shirley           |
| Gillis              | Moss                | Slade             |
| Guyton              | MacFarland          | Smith of Gilmer   |
| Hall                | McCarthy            | Smith of Tattnall |
| Hardman of Jackson  | McConnell           | Smith of Walton   |
| Harvey              | McCrory             | Stovall           |
| Hatfield            | McCurry             | Stubbs of Putnam  |
| Heard               | McElreath           | Vinson            |
| Helms               | McMahan             | Walters           |
| Henderson of Turner | McMichael of Butts  | Wasden            |
| Holder of Floyd     | McMichael of Marion | White of Screven  |
| Holtzelaw           | McWhorter           | Whiteley          |
| Hullender           | Oliver              | Williams          |
| Huie                | Parker of Talbot    | Wright of Floyd   |
| Jones of Laurens    | Paulk               |                   |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Anderson of Bullock | Hill                  | Reid of Campbell  |
| Baker               | Howell                | Rentz             |
| Beacham             | Johnson of Jeff Davis | Rogers            |
| Boyd                | Jones of Meriwether   | Rosser            |
| Burch               | Jones of Mitchell     | Stubbs of Thomas  |
| Cooke               | Lawrence              | Tracey            |
| Davis               | Meadows of Telfair    | Wohlwender        |
| Ellis               | Middlebrooks          | Wood              |
| Fender              | Mintz                 | Woodliff          |
| Griffin of Sumter   | McArthur              | Wright of Stewart |
| Griffin of Twiggs   | Pierce                | Mr. Speaker       |
| Hendricks           |                       |                   |

Ayes, 70; nays, 80.

The roll call was verified and on counting the votes cast it was found that the ayes were 70 nays 80; The

report of the Committee was therefore disagreed to and the bill lost.

Leave of absence was granted—

MR. BEACHAM, of Dooly;

MR. EVANS, of Bibb.

The Speaker then announced the House adjourned until 10 o'clock to-morrow morning.

ATLANTA, GEORGIA,

FRIDAY, JUNE 24th, 1910.

The House met pursuant to adjournment at 10 o'clock a. m. this day, was called to order by the Speaker and opened with prayer by Rev. J. J. Bennett.

The roll was called and the following members answered to their names:

|                     |                 |                     |
|---------------------|-----------------|---------------------|
| Adams               | Brown of Murray | English             |
| Alexander of DeKalb | Burch           | Evans               |
| Alexander of Fulton | Butt            | Faircloth           |
| Allen               | Buxton          | Fender              |
| Alley               | Calbeck         | Field of DeKalb     |
| Anderson of Bullock | Cannon          | Fields of Crisp     |
| Anderson of Chatham | Carswell        | Ford                |
| Armistead           | Carter          | Fullbright          |
| Atherton            | Chandler        | Garlington          |
| Atkinson            | Childs          | Gastley             |
| Ault                | Converso        | Gillis              |
| Barksdale           | Cooke           | Godley              |
| Bagley              | Cordell         | Graddick            |
| Bailey              | Couch           | Griffin of Sumter   |
| Baker               | Cowan           | Griffin of Twiggs   |
| Barrett             | Culberson       | Guyton              |
| Beacham             | Cureton         | Hall                |
| Bell                | Daniel          | Hardeman of Jeffs'n |
| Berry               | Davis           | Hardman of Jackson  |
| Booker              | Dickson         | Harrington          |
| Boyd                | Drawdy          | Harvey              |
| Brinson of Decatur  | Edmondson       | Hatfield            |
| Brinson of Emanuel  | Edwards         | Heard               |
| Brown of Carrol     | Elder           | Helms               |
| Brown of Fulton     | Ellis           | Henderson of Irwin  |
| Brown of Henry      | Ellison         |                     |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Henderson of Turner   | Mitchell            | Rosser            |
| Hendricks             | Moore               | Sheppard          |
| Hill                  | Moss                | Shirley           |
| Holder of Floyd       | MacFarland          | Simmons           |
| Holtzelaw             | MacIntyre           | Simpson           |
| Howell                | McArthur            | Slade             |
| Hubbard               | McCarthy            | Smith of Gilmer   |
| Hullender             | McConnell           | Smith of Tattnall |
| Huie                  | McCrory             | Smith of Walton   |
| Johnson of Bartow     | McCurry             | Stovall           |
| Johnson of Jeff Davis | McCutchen           | Strong            |
| Johnson of Towns      | McElreath           | Stubbs of Putnam  |
| Joiner                | McMahan             | Stubbs of Thomas  |
| Jones of Laurens      | McMichael of Butts  | Tarver            |
| Jones of Meriwether   | McMichael of Marion | Tippins           |
| Jones of Mitchell     | McWhorter           | Tracey            |
| Keith                 | Oliver              | Tuggle            |
| Kelley                | Parker of Decatur   | Turner            |
| Kendrick              | Parker of Talbot    | Turnipseed        |
| Kennedy               | Paulk               | Upshaw            |
| Kicklighter           | Peacock             | Vinson            |
| Kidd                  | Persons             | Waddell           |
| Kirby                 | Pickett             | Walters           |
| Lawrence              | Pierce              | Wasden            |
| Lewis                 | Popo                | Watkins           |
| Littleton             | Porter              | White of Screven  |
| Lord                  | Price               | Whiteley          |
| Lovejoy               | Proctor             | Wight of Grady    |
| Martin                | Reaves              | Williams          |
| Meadows of Telfair    | Redding             | Wohlwend          |
| Meadows of Toombs     | Reese               | Wood              |
| Middlebrooks          | Reid of Campbell    | Woodliff          |
| Miller of Calhoun     | Reid of Macon       | Wright of Floyd   |
| Miller of Ware        | Rentz               | Wright of Stewart |
| Milikin               | Roberts             | Mr. Speaker       |
| Minter                | Rogers              |                   |

Mr. McIntyre, of Thomas, gave notice that at the proper time he would move to reconsider the action of the House in defeating on yesterday the bill providing for bi-ennial sessions.

The Journal of yesterday's proceedings was read and confirmed.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by a requisite Constitutional majority the following Senate Bill, to-wit:

A bill to make the wife or husband a competent witness in case of Bigamy and for other purposes.

Mr. Anderson, of Chatham, moved that the House reconsider its action in defeating House Bill No. 6 providing for bi-ennial sessions.

Mr. McMichael called for the previous question which call was sustained, and the main question ordered.

On the motion to reconsider Mr. Anderson called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |           |         |
|---------------------|-----------|---------|
| Anderson of Chatham | Booker    | Cureton |
| Ault                | Boyd      | Daniel  |
| Barksdale           | Burch     | Davis   |
| Baker               | Childs    | Drawdy  |
| Barrett             | Converso  | Edwards |
| Bell                | Culberson | English |

|                     |           |                |
|---------------------|-----------|----------------|
| Field of DeKalb     | Milikin   | Simmons        |
| Ford                | Mitchell  | Simpson        |
| Hardeman of Jeffs'n | Macintyre | Strong         |
| Harrington          | McCutchen | Tarver         |
| Henderson of Irwin  | McNahan   | Tippins        |
| Henderson of Turner | Persons   | Tracey         |
| Keith               | Pickett   | Turnipseed     |
| Kicklighter         | Porter    | Wight of Grady |
| Kirby               | Redding   | Wohlwende      |
| Lewis               | Reese     |                |
| Miller of Ware      | Robert    |                |

Those voting in the negative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Fields of Crisp       | Littleton           |
| Alexander of DeKalb | Fallbright            | Lord                |
| Alexander of Fulton | Gastley               | Martin              |
| Allen               | Gillis                | Meadows of Toombs   |
| Alley               | Godley                | Moore               |
| Atherton            | Graddick              | Moss                |
| Atkinson            | Guyton                | MacFarland          |
| Bagley              | Hall                  | McArthur            |
| Bailey              | Hardman of Jackson    | McCarthy            |
| Berry               | Harvey                | McConnell           |
| Brinson of Decatur  | Hatfield              | McCurry             |
| Brinson of Emanuel  | Heard                 | McElreath           |
| Brown of Carroll    | Helm                  | McMichael of Butts  |
| Brown of Fulton     | Holder of Floyd       | McMichael of Marion |
| Brown of Henry      | Holtzelaw             | McWhorter           |
| Brown of Murray     | Hubbard               | Olive               |
| Buxton              | Hullender             | Parker of Decatur   |
| Calbeck             | Huie                  | Paulk               |
| Cannon              | Johnson of Bartow     | Peacock             |
| Carswell            | Johnson of Jeff Davis | Pop                 |
| Carter              | Johnson of Towns      | Price               |
| Chandler            | Joiner                | Proctor             |
| Cordell             | Jones of Laurens      | Reaves              |
| Couch               | Jones of Mitchell     | Rogers              |
| Dickson             | Kelley                | Sheppard            |
| Elder               | Kendrick              | Shirley             |
| Ellison             | Kennedy               | Slade               |
| Evans               | Kidd                  | Smith of Tattnall   |

|                 |                  |                 |
|-----------------|------------------|-----------------|
| Smith of Walton | Walters          | Williams        |
| Stovall         | Wasden           | Woodliff        |
| Tuggle          | Watkins          | Wright of Floyd |
| Upshaw          | White of Screven |                 |
| Vinson          | Whiteley         |                 |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Anderson of Bullock | Hendricks           | Pierce            |
| Armistead           | Hill                | Reid of Campbell  |
| Beacham             | Howell              | Reid of Macon     |
| Butt                | Jones of Meriwether | Rentz             |
| Cooke               | Lawrence            | Rosser            |
| Cowan               | Lovejoy             | Smith of Gilmer   |
| Edmondson           | Marshall            | Stubbs of Putnam  |
| Ellis               | Meadows of Telfair  | Stubbs of Thomas  |
| Faircloth           | Middlebrooks        | Turner            |
| Fender              | Miller of Calhoun   | Waddell           |
| Garlington          | Minter              | Wood              |
| Griffin of Sumter   | McCrory             | Wright of Stewart |
| Griffin of Twiggs   | Parker of Talbot    | Mr. Speaker       |

The roll call was verified and on counting the votes it was found that the ayes were, 49; nays, 97. The motion to reconsider was therefore lost.

Mr. Hall, of Bibb, moved that when the House adjourned to-day it stand adjourned until 10 o'clock Monday morning next, which motion prevailed.

The following communication from Hon. Thos. E. Watson was read:

THOMSON, GEORGIA,

June 23 1910.

HON. JOHN N. HOLDER,

*Speaker of the House,*

Atlanta, Ga.

MY DEAR SIR: For the present, I withhold the name of the writer of the letter of which the inclosed is a copy. I believe him to be a responsible man, and, if necessary, will put you in communication with him. It seems to me that it is my duty to transmit to you a copy of the letter, in order that you may lay it before the Committee on Public Buildings and Grounds, so that a searching investigation may be made.

R. F. Duckworth and John Lee, who are running things at Union City, are utterly unprincipled and corrupt. Mr. Barron was their *protege*, and it was at their urgent, insistent request that Governor Brown appointed Barron to his present position. It is not at all improbable that the charges made in the letter are true, and that Barron is dividing with his pals at Union City.

Very respectfully yours,

THOS. E. WATSON.



MR. WATSON :

During the past year large sums of the people's money has been spent at and on the Capitol, in repairs, refurnishings, etc., etc.

If you will have the Legislature appoint a committee of investigation, to look into the affairs and conduct of the office of Keeper of Public Buildings and Grounds, there will be some rich, rare and racy developments, which will show Lee Barron up *in his true colors*, and prove the unwisdom of Mr. Brown in placing such an irresponsible person in such an important position, just to please Ducky, and the Union City bunch. I would suggest that said committee ascertain if certain contracts let by said keeper, for repairs and improvements, were not paid for at one price, and charged up to the State, at a much larger figure; or, in other words, if there has not been a collusion between said keeper and said contractors, to the effect that if said keeper would award certain contracts at a certain figure, he would be entitled to, and receive, a certain amount from said contract. (Don't you see?)

Also let them ascertain if Guards, Porters, and other employees names have not been kept on the "pay-roll"—and their salaries drawn regularly—when they *were not* in the service of the State in any capacity. Coal, wood, water, gas, electric-lights and other "Bills and Contracts" should be fully investigated.

I merely put you on to these things. There is surely something dead up the branch. The water needs to be filtered.

Yours truly,

Atlanta, Ga.

Mr. Anderson, of Chatham, moved that the foregoing communication be referred to the Committee on Public Property with instructions that it make a searching investigation of the charges contained therein.

Mr. Sheppard, of Sumter, moved as a substitute that the matter be referred to a Special Committee to be appointed by the Speaker.

The previous question was called and the main question ordered.

Mr. Anderson's motion was then put and carried.

On motion of Mr. Hardeman, of Jefferson, House Bill No. 56 was taken from the table and placed on the Calendar.

Unanimous consent was then granted that House Bill No. 160 should take the place of House Bill No. 56 on the Calendar.

By unanimous consent House Bills Nos. 247 and 262 were placed on the Calendar for a second reading.

By unanimous consent House Bills No's 544 and 182 were taken from the table and placed on the Calendar.

By unanimous consent House Bill No. 46 and 7, were allowed to exchange places on the Calendar.

By unanimous consent House Bill No. 305 was re-committed.

The following resolution was read and referred to the Committee on Rules, to-wit:

By Mr Alexander, of DeKalb—

A resolution providing that the House take up on June 30 the matter of the ratification of amendments to the United States Constitution.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters, having had under consideration the following House bills, to-wit:

No. 709 being “An Act to create a Board of Commissioners of Roads and Revenue for Clayton county.”

No. 731 being "An Act to reduce insurance fees for companies doing business in four counties or less."

And recommends that both of said bills do pass.

MACINTYRE, Chairman.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report.

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instructed me, as their chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to require legislative counsel or agents to register with Secretary of State.

A bill to prohibit book-making, pool selling, etc.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to amend Section 5260, Code 1895, relative to witness fees.

A bill to amend Section 2805, Code 1895, relative to mechanics liens, etc.

A bill to abolish right of defendants in criminal cases to make a statement not under oath.

Also the following bill of the House with the recommendation that same be re-referred to the Committee on Insurance, to-wit:

A bill to provide for creation of corporations to do the business of Industrial Life Insurance upon the Capital Stock plan.

Respectfully submitted,

J. H. HALL, Chairman.

Mr. Fullbright, Chairman of the Committee on Special Judiciary, submitted the following report:

June 24, 1910.

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following House bills to-wit:

No. 61. To regulate issuing life insurance policies.

No. 513. To repeal the Act requiring registration in cases of special elections.

No. 263. Requiring license to carry weapons.

No. 264. Making carrying concealed weapons a felony

No. 322. To amend Section 4130 of Code of 1895.

And instruct me as Chairman to report them back with the recommendation that they and each of them do not pass.

FULLBRIGHT, Chairman.

By unanimous consent House Bill No. 630 was taken from the Committee on General Judiciary and re-referred to the Committee of Special Judiciary

By unanimous consent House Bill No. 108 was taken from the General Judiciary Committee and referred to the Committee on Insurance.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Huie, of Clayton—

A bill to create a Board of Commissioners of Roads and Revenues for Clayton county.

By unanimous consent the call of the roll of counties was dispensed with and the following new bills were introduced, to-wit:

By Mr. Johnson of Towns—

A bill to prohibit the taking of fish in the Hiawassee River above Newt Taylor's store.

Referred to Committee on Counties and County Matters.

By Mr. Moore, of Columbia—

A resolution to pay Mrs. R. A. Lynn the pension due her for years 1903, 1904, 1905, 1906 and 1907.

Referred to Committee on Pensions.

By Mr. Barrett, of Stephens—

A resolution providing for the payment of the expenses of committees acting during recess and authorized by the General Assembly of 1909.

Referred to Committee on Appropriations.

By Mr. Johnson, of Towns—

A bill to authorize the making and giving away of lemonade, etc., in the town of Young Harris a misdemeanor.

Referred to Committee on Temperance.

By Mr. Brown, of Fulton—

A bill to increase the safety of the traveling public and railroad employees in this State.

Referred to Committee on Railroads.

By Mr. Brown, of Fulton—

A resolution providing for the payment of pension due Mrs. J. W. Harding.

Referred to Committee on Pensions.

By Mr. Booker, of Wilkes—

A bill to amend an Act to regulate the sale and inspection of commercial fertilizers.

Referred to Committee on General Agriculture.

By Mr. Miller, of Calhoun—

A bill to amend an Act to regulate the expenditure of county funds.

Referred to Committee on Counties and County Matters.

By Mr. Turnipseed, of Clay—

A bill to amend an Act to provide for the future employment of felony and misdemeanor convicts.

Referred to Committee on Penitentiary



By Mr. McElreath, of Fulton—

A bill to make the wife competent to testify against her husband in certain cases.

Referred to Committee on General Judiciary.

By Messrs. Alexander, Brown and McElreath, of Fulton—

A bill to prohibit the assignment, etc., of wages which are subject to garnishment.

Referred to Committee on General Judiciary

By Messrs. Alexander, Brown and McElreath, of Fulton—

A bill to prohibit any assignment, etc., of wages which are not subject to garnishment.

Referred to Committee on General Judiciary

By Mr. Garlington, of Richmond—

A bill to provide compensation for Ordinaries for collection of near beer tax.

Referred to Committee on Ways and Means.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A bill to declare women eligible to hold the office  
of Justice of the Peace.

Referred to Committee on General Judiciary.

By Mr. Alexander, of Fulton—

A bill to regulate the sale of convict made goods  
in this State.

Referred to Committee on Special Judiciary

By Mr. Miller, of Ware —

A bill to amend an Act to create the City Court  
of Waycross.

Referred to Committee on Special Judiciary

By Messrs. Burch, of Laurens; Baker, of Lumpkin,  
and Lewis, of Hancock—

A bill to provide for the re-arrangement of the  
Judicial Circuits of this State, etc.

Referred to Committee on General Judiciary.

By Messrs. Burch, of Laurens; Baker, of Lumpkin;  
Lewis of Hancock—

A resolution to provide for the payment of the expenses and per diem of the committee to enquire into the re-arrangement of the Judicial Circuits of Georgia.

Referred to Committee on Appropriations.

By unanimous consent House Bill No. 724 was taken from the Committee on Counties and County Matters and referred to the Special Judiciary Committee.

The undersigned committee appointed to look into the re-arrangement of the Judicial Circuits of Georgia, submitted the following report:

*To the General Assembly of Georgia:*

Your Committee appointed at the last session of the General Assembly to re-arrange the Judicial Circuits of the State of Georgia, and to equalize the labors of the judges thereof, met at the capitol in Atlanta on May 23d, 1910, and organized with the Hon. E. S. Griffith, Chairman of the Senate Committee, presiding and Hon. J. E. Burch as Secretary. Your Committee remained in session the 23d and 24th of May arranging proper maps and getting ready for a complete investigation when, on account of an inability to obtain the necessary information

from the various counties and circuits of the State it was found necessary to take a recess until Monday, June 13th, when it re-assembled at the capitol in Atlanta and resumed their work.

Your Committee found it very difficult to obtain the necessary information for the work in hand, and after consulting on the 23d and 24th of May it was decided by the Committee to adjourn until the 13th of June and in the meantime to write to the judges of the various circuits and the clerks of the Superior Courts of the State and ascertain as far as possible the situation in the various Judicial Circuits and the various counties of the State. The Committee found that it was very much handicapped in ascertaining the desired information, from the fact that they had no authority whatever to compel the attendance of witnesses or compel any one to furnish information. Many of the clerks failed to answer the letters of the Committee. Several of the judges answered by written communication and some of them appeared before the Committee, and some of them have not responded at all, but after getting what information we could procure from all sources we proceeded to do the work the very best we could under the circumstances, and we believe that the plan herein submitted of the re-arrangement of the circuits will be of great benefit to the State.

After selecting Mr. C. B. Weatherly as stenographer and hearing such reports as had been re-

ceived from the various judges and clerks of the Superior Courts of the several circuits and counties, we proceeded to discharge the duties assigned to us. We found the labors very tedious, and after a most careful hearing of such evidence as we could obtain and the closest investigation of the interests of the several circuits and people, we hereby recommend the following re-arrangement of the Judicial Circuits of the State, and we further recommend that the circuits of the State be hereafter designated in numerical order instead of in the manner heretofore of force in this State.

We hereby recommend that the 1st judicial circuit be composed of the county of Chatham.

That the 2d judicial Circuit be composed of the counties of Effingham, Bullock, Tatnall, Toombs, Liberty and Bryan.

That the 3d judicial circuit be composed of the counties of McIntosh, Wayne, Appling, Jeff Davis, Camden and Glynn.

That the 4th judicial circuit be composed of the counties of Coffee, Clinch, Echols, Ware, Pierce and Charlton.

That the 5th judicial circuit be composed of the counties of Tift, Berrien, Colquitt, Thomas, Brooks and Lowndes.

That the 6th judicial circuit be composed of the counties of Decatur, Grady, Miller, Baker, Mitchell, Dougherty and Worth.

That the 7th judicial circuit be composed of the counties of Early, Clay, Quitman, Randolph, Calhoun, Terrell and Lee.

That the 8th judicial circuit be composed of the counties of Dooly, Crisp, Wilcox, Turner, Ben Hill and Irwin.

That the 9th judicial circuit be composed of the counties of Twiggs, Pulaski, Laurens, Dodge, Telfair and Montgomery.

That the 10th judicial circuit be composed of the counties of Washington, Johnson, Emanuel, Jenkins, Screven and Jefferson.

That the 11th judicial circuit be composed of the counties of Burke and Richmond.

That the 12th judicial circuit be composed of the counties of Jones, Wilkerson, Baldwin, Hancock, Putnam, Jasper, Morgan and Greene.

That the 13th judicial circuit be composed of the counties of Bibb, Crawford and Houston.

That the 14th judicial circuit be composed of the counties of Stewart, Webster, Sumter, Schley, Macon and Chattahoochee.

That the 15th judicial circuit be composed of the counties of Muscogee, Marion, Talbot and Taylor.

That the 16th judicial circuit be composed of the counties of Harris, Troupe, Meriwether, Heard and Coweta.

That the 17th judicial circuit be composed of the counties of Upson, Monroe, Pike, Butts, Spalding, Fayette and Henry.

That the 18th judicial circuit be composed of the counties of Gwinnett, Walton, Oconee, Clarke and Jackson.

That the 19th judicial circuit be composed of the counties of Glascock, Warren, McDuffie, Columbia, Lincoln, Wilkes and Taliaferro.

That the 20th judicial circuit be composed of the counties of Oglethorpe, Madison, Elbert, Hart, Franklin and Banks.

That the 21st judicial circuit be composed of the counties of Hall, Union, Dawson, Lumpkin, White, Habersham, Rabun, Towns and Stephens.

That the 22d judicial circuit be composed of the counties of Cobb, Milton, Cherokee, Pickens, Gilmer, Fannin and Forsyth.

That the 23d judicial circuit be composed of the

counties of Bartow, Gordon, Murray, Whitfield, Chattoosa and Dade.

That the 24th judicial circuit be composed of the counties of Floyd, Chattooga and Walker.

That the 25th judicial circuit be composed of the counties of Carroll, Douglas, Haralson, Paulding and Polk.

That the 26th judicial circuit be composed of the county of Fulton.

That the 27th judicial circuit be composed of the counties of Campbell, Clayton, DeKalb, Rockdale and Newton.

Your committee believe that this arrangement of the judicial circuits will be of great benefit to the public service and will largely equalize the labors of the respective presiding judges and inure to the convenience of the citizens thereof, this being the object with which we have entered upon the discharge of our labors. These circuits as suggested being more compactly arranged will make it more convenient for the trial judges to appear in each county to hear any motions at chambers that may be pending, in the presence of the parties litigant, if the Legislature should so determine, and which we earnestly recommend that the Legislature will provide for, the judge so travelling being paid his actual expenses to and from the county of his residence, except where such



are heard in connection with the discharge of the duties of a regular session of the court.

In seeking to carry out the purpose for which the committee was appointed we have found it necessary to recommend the creation of a new judicial circuit, known as number 19 as hereinbefore named, composed of the counties of Glascock, Warren, McDuffey, Columbia, Lincoln, Wilkes and Taliaferro.

Your committee shows that it was necessary to have prepared a map showing the judicial circuits of Georgia as they now exist.

The undersigned committee appointed to look into the re-arrangement of the judicial circuits of Georgia submitted the following report:

When the map referred to was made we had some blue prints prepared, and have prepared and submit herewith a map showing the judicial circuits numerically numbered, as prepared and recommended by the committee.

We also submit herewith a map showing the judicial circuits as they now exist.

Your committee in pursuance of the recommendations herein made have prepared and submit herewith to the Legislature a bill carrying into effect the recommendations herein made.

Your committee further recommends four terms of the Superior Court in each county and the abolition of all City Courts, believing that it would be to the best interest of the State and that the courts can be more economically administered in this way.

Respectfully submitted,

E. S. GRIFFITH,

Chairman.

————— McCURRY,

R. H. LEWIS,

R. H. BAKER,

J. E. BURCH,

Committee.

Recommendation as to abolition of City Courts  
dissented to by

LEWIS, of Hancock.

Leave of absence was granted—

MR. SIMPSON, of Gwinnett,

MR. HARVEY, of Wilcox.

On motion of Mr. Lewis, of Hancock, the Speaker announced the House adjourned until 10 o'clock Monday morning.

ATLANTA, GEORGIA,

MONDAY, JUNE 27, 1910.

The House met pursuant to adjournment at 10 o'clock a. m. this day, was called to order by the Speaker and opened with prayer by Rev. A. T. Spalding.

The roll was called and the following members answered to their names:

|                     |                    |                       |
|---------------------|--------------------|-----------------------|
| Adams               | Henderson of Irwin | Ellison               |
| Alexander of DeKalb | Brown of Murray    | English               |
| Alexander of Fulton | Burch              | Evans                 |
| Allen               | Butt               | Fairecloth            |
| Alley               | Buxton             | Fender                |
| Anderson of Bullock | Calbeck            | Field of DeKalb       |
| Anderson of Chatham | Cannon             | Fields of Crisp       |
| Armistead           | Carswell           | Ford                  |
| Atherton            | Carter             | Fullbright            |
| Atkinson            | Chandler           | Garlington            |
| Ault                | Childs             | Gastley               |
| Barksdale           | Converse           | Gillis                |
| Bagley              | Cooko              | Godley                |
| Bailey              | Cordell            | Graddick              |
| Baker               | Couch              | Griffin of Sumter     |
| Barrett             | Cowan              | Griffin of Twiggs     |
| Beacham             | Culberson          | Guyton                |
| Bell                | Cureton            | Hall                  |
| Berry               | Daniel             | Hardeman of Jefferson |
| Booker              | Davis              | Hardman of Jackson    |
| Boyd                | Dickson            | Harrington            |
| Brinson of Decatur  | Drawdy             | Harvey                |
| Brinson of Emanuel  | Edmondson          | Hatfield              |
| Brown of Carroll    | Edwards            | Heard                 |
| Brown of Fulton     | Elder              | Helm                  |
| Brown of Henry      | Ellis              |                       |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Henderson of Turner   | Mitchell            | Rosser            |
| Hendricks             | Moore               | Sheppard          |
| Hill                  | Moss                | Shirley           |
| Holder of Floyd       | MacFarland          | Simmons           |
| Holtzelaw             | MacIntyre           | Simpson           |
| Howell                | McArthur            | Slade             |
| Hubbard               | McCarthy            | Smith of Gilmer   |
| Hullender             | McConnell           | Smith of Tatnall  |
| Huie                  | McCrory             | Smith of Walton   |
| Johnson of Bartow     | McCurry             | Stovall           |
| Johnson of Jeff Davis | McCutchen           | Strong            |
| Johnson of Towns      | McElreath           | Stubbs of Putnam  |
| Joiner                | McMahan             | Stubbs of Thomas  |
| Jones of Laurens      | McMichael of Butts  | Tarver            |
| Jones of Meriwether   | McMichael of Marion | Tippins           |
| Jones of Mitchell     | McWhorter           | Tracey            |
| Keith                 | Olive               | Tuggle            |
| Kelley                | Parker of Decatur   | Turner            |
| Kendrick              | Parker of Talbot    | Turnipseed        |
| Kennedy               | Paulk               | Upshaw            |
| Kicklighter           | Peacock             | Vinson            |
| Kidd                  | Persons             | Waddell           |
| Kirby                 | Pickett             | Walters           |
| Lawrence              | Pierce              | Wasden            |
| Lewis                 | Popo                | Watkins           |
| Littleton             | Porter              | White of Screven  |
| Lord                  | Prica               | Whiteley          |
| Lovejoy               | Proctor             | Wight of Grady    |
| Martin                | Reaves              | Williams          |
| Meadows of Telfair    | Redding             | Wohlwender        |
| Meadows of Toombs     | Reese               | Wood              |
| Middlebrooks          | Reid of Campbell    | Woodliff          |
| Miller of Calhoun     | Reid of Macon       | Wright of Floyd   |
| Miller of Ware        | Rentz               | Wright of Stewart |
| Milikin               | Roberts             | Mr. Speaker       |
| Minter                | Rogers              |                   |

By unanimous consent the reading of the Journal of Friday's proceedings was dispensed with.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Huie, of Clayton—

A bill to create a Board of Commissioners of Roads and Revenues for Clayton County

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 121, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Vinson, of Baldwin—

A bill to provide for the establishing of certificates of stock of banks or private corporations in lieu of lost or destroyed certificates and for other purposes.

The following amendments proposed by the committee were adopted, to-wit:

To amend by striking from line 6, Section 1, the words "his agent," also from line 8, Section 1, the words "his agent," also at the conclusion of Section 2, by adding the following: "Provided that all costs of the proceedings under this Act shall be paid

by the applicant if no defense is filed—and if a defense is filed, then by the party against whom the issue is decided.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 106, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By unanimous consent House Bill No. 441 was taken from the General Judiciary Committee and referred to the Committee on Railroads.

By unanimous consent House Bill No. 296 was re-committed to the Committee on Hygiene and Sanitation.

The following resolutions were read and referred to the Committee on Rules, to-wit:

By Mr. Anderson, of Chatham—

A resolution to make House Bill No. 74 the special and continuing order for Tuesday July 12th.

By Mr. Littleton, of Richmond—

A resolution to make House Bill No. 221 the special order for July 7.

Mr. Carswell, Vice-Chairman of the Committee on Appropriations submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations has had under consideration House Resolution No. 176, and beg leave to report the same back with the recommendation that the same do pass.

J. H. CARSWELL,

Vice-Chairman, Presiding.

The following communication from Rev. M. H. Eakes was read and accepted by the House:

MADISON, GA., June 23, 1910.

HON. JOHN HOLDER,

*Speaker House of Representatives, Atlanta.*

HONORED SIR: Please accept my resignation as Chaplain of the House and oblige.

Yours,

M. H. EAKES.

The resignation was accepted.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Barrett, of Stephens—

A resolution providing for the payment of the per diem and expenses of Committees that served during last vacation.

The undersigned Committee appointed to select a Chairman submitted the following report which was adopted, to-wit:

*Mr. Speaker:*

Your Committee appointed to recommend a Chaplain beg leave to present the name of Dr. J. J. Bennett, of Atlanta, Ga.

J. P. McCONNELL, Chairman.

T. J. HARRINGTON,

FERMOR BARRETT.

By unanimous consent the call of the roll of counties was dispensed with and the following bills were read the first time, to-wit:

By Mr. Turnipseed, of Clay—

A bill to create a Board Commission for the city of Fort Gaines.

Referred to Committee on General Judiciary.



By Mr. Turnipseed, of Clay—

A bill to provide a system of registration for the city of Fort Gaines.

Referred to Committee on Special Judiciary

By Mr. Jones, of Meriwether—

A bill to amend an Act to create the City Court of Greenville

Referred to Committee on Special Judiciary

By Mr. Alley, of White—

A bill to regulate the hunting of foxes in the county of White.

Referred to Committee on Fish and Game.

By Messrs. Smith and Kennedy, of Tatnall—

A bill to amend an Act to incorporate the city of Hagan.

Referred to Committee on Corporations.

By Mr. Hendricks, of Tift—

A resolution for the relief of Keith Carson.

Referred to Committee on Military Affairs.

By Messrs. McElreath, Brown and Alexander, of  
Fulton—

A bill to appropriate \$500 to re-imburse the  
Fruendschafts-bund for locker tax, etc.

Referred to Committee on Appropriations.

By Mr. Barksdale, of Wilkes—

A bill to fix the salary of the stenographer of the  
State Bank Examiner.

Referred to Committee on Banks and Banking.

By Mr. Vinson, of Baldwin—

A bill to provide for the appointment of Trustees  
of the State Sanitarium and to prescribe their term  
of office, etc.

Referred to Committee on State Sanitarium.

By Messrs. Griffin and Sheppard, of Sumter—

A bill to regulate the application for marriage  
license.

Referred to Committee on General Judiciary

By Mr. Johnson, of Bartow—

A bill to amend an Act to create a lien in favor of persons hauling stocks, logs or lumber, etc.

Referred to Committee on Special Judiciary.

By Mr. White, of Screven—

A bill to amend an Act fixing the term of office of the Commissioner of Pensions.

Referred to Committee on Pensions.

By Messrs. Reid, of Campbell, Ellis, of Bibb, Alexander, of DeKalb and Hardman, of Jackson—

A bill to provide for State and County Boards of tax returns and valuations.

Referred to Committee on Ways and Means.

By Mr. McWhorter, of Greene—

A bill to amend an Act to incorporate the city of Union Point.

Referred to Committee on Corporations.

By Messrs. Persons, of Monroe and Garlington, of  
Richmond—

A bill to provide for filing of notice of Lis Pendens.

Referred to Committee on General Judiciary.

By Mr. Elder, of Oconee—

A bill to amend Section 3692 of the Code.

Referred to Committee on General Judiciary.

By Messrs. Griffin and Sheppard, of Sumter—

A bill to authorize the County Treasurers of this  
State to pay for killing English Sparrows.

Referred to Committee on Fish and Game.

By Mr. Elder, of Oconee—

A resolution requesting Representatives in Con-  
gress from Georgia to use best efforts to secure the  
removal of Henry A. Rucker from the office of Col-  
lector of Internal Revenue of Atlanta.

Lie on table one day

By Mr. Moss, of Cobb—

A resolution providing for a committee of three to

call upon the Governor for an explanation as to why he failed to purchase lands for terminal facilities for W. & A. R. R.

Lie on table one day.

By unanimous consent the following bill was taken up and put upon its passage, to-wit:

By Mr. Alexander, of Dekalb—

A bill to create the office of Special Agent for the affairs of the Western & Atlantic R. R.

The following amendment was adopted, to-wit:  
By the Committee—To amend by striking the words \$4,500 and substituting in lieu thereof \$3,000.

The hour for the consideration of unanimous having expired the above bill was carried over as unfinished business.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Calbeck, of Gordon—

A resolution to refund to H. Yarborough, of Gordon County, certain monies received by the State from the illegal sale of wild lands.

The following amendment was adopted, to-wit:

By Mr. Hall, of Bibb—

To amend by striking last section and insert the following: “Be it resolved by the House of Representatives, the Senate concurring therein, that the sum of forty-two dollars and seventy-nine cents be and is hereby appropriated to repay the said sum of money and the Governor is hereby authorized to draw his warrant for the same.”

An appropriation being involved the House resolved itself into a Committee of the Whole and the Speaker designated as Chairman Mr. Lewis, of Hancock.

After a consideration of the resolution the Committee arose and through their Chairman reported the same back with the recommendation that it do pass as amended.

The report of the Committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |           |                    |
|---------------------|-----------|--------------------|
| Adams               | Atkinson  | Barrett            |
| Alexander of DeKalb | Ault      | Bell               |
| Alexander of Fulton | Barksdale | Berry              |
| Allen               | Bagley    | Booker             |
| Alley               | Bailey    | Brinson of Decatur |
| Atherton            | Baker     | Brinson of Emanuel |

|                      |                     |                   |
|----------------------|---------------------|-------------------|
| Brown of Carroll     | Henderson of Turner | Parker of Talbot  |
| Brown of Henry       | Hendricks           | Pickett           |
| Burch                | Hill                | Pierce            |
| Butt                 | Howell              | Pope              |
| Buxton               | Huie                | Porter            |
| Calbeck              | Johnson of Bartow   | Proctor           |
| Cannon               | Johnson of Towns    | Reaves            |
| Chandler             | Joiner              | Reese             |
| Childs               | Jones of Laurens    | Reid of Campbell  |
| Converso             | Jones of Mitchell   | Roberts           |
| Cordell              | Keith               | Rogers            |
| Couch                | Kennedy             | Rosser            |
| Cowan                | Kidd                | Sheppard          |
| Daniel               | Kirby               | Shirley           |
| Dickson              | Lewis               | Simmons           |
| Drawdy               | Lord                | Smith of Gilmer   |
| Edwards              | Lovejoy             | Smith of Tattnall |
| Elder                | Martin              | Smith of Walton   |
| Ellison              | Meadows of Telfair  | Stovall           |
| English              | Meadows of Toombs   | Tarver            |
| Fairecloth           | Miller of Calhoun   | Tippins           |
| Field of DeKalb      | Miller of Ware      | Tracey            |
| Fields of Crisp      | Milikin             | Tuggle            |
| Ford                 | Mitchell            | Turner            |
| Fullbright           | Moore               | Turnipseed        |
| Garlington           | Most                | Upshaw            |
| Gastley              | MacFarland          | Vinson            |
| Godley               | MacIntyre           | Waddell           |
| Graddick             | McConnell           | Walters           |
| Gayton               | McCrory             | Warden            |
| Hall                 | McCurry             | Watkins           |
| Hardeman of Jeff's'n | McCutchen           | Whiteley          |
| Hardman of Jackson   | McElreath           | Wight of Grady    |
| Harrington           | McMahan             | Williamt          |
| Hatfield             | McMichael of Butts  | Wohlwender        |
| Heard                | McWhorter           | Wood              |
| Helms                | Oliver              | Woodliff          |
| Henderson of Irwin   | Parker of Decatur   | Wright of Floyd   |

Those not voting were Messrs.:

|                     |                 |                 |
|---------------------|-----------------|-----------------|
| Anderson of Bullock | Beacham         | Brown of Murray |
| Anderson of Chatham | Boyd            | Carswell        |
| Armistead           | Brown of Fulton | Carter          |

|                   |                       |                   |
|-------------------|-----------------------|-------------------|
| Cook              | Hullender             | Persons           |
| Culberson         | Johnson of Jeff Davis | Pries             |
| Cureton           | Jones of Meriwether   | Redding           |
| Davis             | Kelley                | Reid of Macon     |
| Edmondson         | Kendrick              | Rentz             |
| Ellis             | Kicklighter           | Simpson           |
| Evans             | Lawrence              | Slade             |
| Fender            | Littleton             | Strong            |
| Gillis            | Middlebrooks          | Stubbs of Putnam  |
| Griffin of Sumter | Minter                | Stubbs of Thomas  |
| Griffin of Twiggs | McArthur              | White of Screven  |
| Harvey            | McCarthy              | Wright of Stewart |
| Holder of Floyd   | McMichael of Marion   | Mr. Speaker       |
| Holtzelaw         | Paulk                 |                   |
| Hubbard           | Peacock               |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 132, nays 0.

The resolution having received the requisite constitutional majority was passed as amended.

By Mr. Keith, of Meriwether—

A resolution to appropriate money to pay Will Kelly the amount due him for overwork in the State Penitentiary.

An appropriation being involved the house resolved itself into a Committee of the Whole and the Speaker designated as Chairman Mr. McWhorter, of Greene.



After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

On motion of Mr. Hall, of Bibb, the resolution was immediately re-referred to the Committee of the Whole for further consideration and Mr. McWhorter again took the Chair.

After further consideration of the resolution the Committee arose and through their Chairman reported the same back to the House with the recommendation that it be re-committed to the Committee on Appropriations.

By Mr. Hall, of Bibb—

A bill to regulate pleadings in regard to the manner in which negligence may be alleged in cases where a presumption thereof arises upon proof of given facts or circumstances and for other purposes.

Pending discussion upon the above bill the hour of adjournment arrived and the same was carried over as unfinished business.

Leave of absence was granted—

MR. DAVIES, of Dougherty.

The Speaker then announced the House adjourned until 10 o'clock to-morrow morning.

ATLANTA, GEORGIA,

TUESDAY, JUNE 28, 1910.

The House met pursuant to adjournment at 10 o'clock a. m. this day; was called to order by the Speaker and opened with prayer by Rev. A. T. Spalding.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent the following resolution was read the third time and put upon its passage, to-wit:

By Mr. Barrett, of Stephens—

A resolution to provide for the payment of the expenses and per diem of members of Committees that served during vacation of 1909.

An appropriation being involved the Speaker resolved the House into a Committee of the Whole and designated as Chairman Mr. Allen, of Upson.

After a consideration of the resolution the Committee arose and through their Chairman reported the same back with the recommendation that it do pass as amended.

The Committee proposed to amend as follows which was adopted, to-wit:

To amend by adding before the word "therefore" in line 22 the following: "And whereas no provision has heretofore been made to pay the expenses and per diem of the members of the Committee appointed by authority of the members of the General Assembly of 1909 to consider and report to the General Assembly a measure or measures to secure a more full return and a fairer valuation of the property in this State subject to taxation."

The report of the Committee which was favorable to the passage of the resolution was agreed to as amended.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Adams               | Boyd               | Cordell         |
| Alexander of DeKalb | Brinson of Decatur | Couch           |
| Alexander of Fulton | Brown of Carroll   | Cowan           |
| Allen               | Brown of Henry     | Culberson       |
| Alley               | Burch              | Daniel          |
| Atherton            | Butt               | Davis           |
| Atkinson            | Buxton             | Dickson         |
| Ault                | Calbeck            | Drawdy          |
| Barksdale           | Cannon             | Edmondson       |
| Bagley              | Carswell           | Edwards         |
| Baker               | Carter             | Elder           |
| Barrett             | Chandler           | Ellison         |
| Bell                | Childs             | English         |
| Booker              | Conversa           | Field of DeKalb |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Fields of Crisp       | Kicklighter         | Price             |
| Ford                  | Kidd                | Proctor           |
| Fullbright            | Kirby               | Reavce            |
| Garlington            | Lawrence            | Reese             |
| Gastley               | Lewis               | Reid of Campbell  |
| Gillis                | Littleton           | Roberts           |
| Godley                | Lord                | Rogers            |
| Graddick              | Meadows of Toombs   | Rosser            |
| Guyton                | Miller of Calhoun   | Sheppard          |
| Hall                  | Miller of Ware      | Shirley           |
| Harrington            | Milikin             | Simmons           |
| Hatfield              | Mitchell            | Simpson           |
| Heard                 | Moore               | Slade             |
| Helms                 | Most                | Smith of Tattnall |
| Henderson of Irwin    | MacFarland          | Smith of Walton   |
| Henderson of Turner   | MacIntyre           | Stovall           |
| Hendricks             | McCarthy            | Strong            |
| Holder of Floyd       | McConnell           | Stubbs of Putnam  |
| Holtzelaw             | McCrory             | Tarver            |
| Howell                | McCutchen           | Tippins           |
| Hubbard               | McElreath           | Tracey            |
| Hullender             | McNahan             | Tuggle            |
| Huie                  | McMichael of Butts  | Turnipseed        |
| Johnson of Bartow     | McMichael of Marion | Ushaw             |
| Johnson of Jeff Davis | McWhorter           | Vinson            |
| Johnson of Towns      | Olive               | Walters           |
| Joiner                | Parker of Decatur   | Watkins           |
| Jones of Laurens      | Parker of Talbot    | Whiteley          |
| Jones of Mitchell     | Paulk               | Wight of Grady    |
| Kelley                | Pierce              | Williams          |
| Kendrick              | Pope                | Wohlwender        |
| Kennedy               | Porter              | Wood              |

### Those not voting were Messrs.:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Anderson of Bullock | Brown of Fulton | Fender                |
| Anderson of Chatham | Brown of Murray | Giffin of Sumter      |
| Armistead           | Cooke           | Giffin of Twiggs      |
| Bailey              | Cureton         | Hardeman of Jefferson |
| Beacham             | Ellis           | Hardman of Jackson    |
| Berry               | Evans           | Harvey                |
| Brinson of Emanuel  | Faireloth       | Hill                  |

|                     |                  |                   |
|---------------------|------------------|-------------------|
| Jones of Meriwether | Peacock          | Waddell           |
| Keith               | Persons          | Wasden            |
| Lovejoy             | Pickett          | White of Screven  |
| Martin              | Redding          | Woodliff          |
| Meadows of Telfair  | Reid of Macon    | Wright of Floyd   |
| Middlebrooks        | Rentz            | Wright of Stewart |
| Minter              | Smith of Gilmer  | Mr. Speaker       |
| McArthur            | Stubbs of Thomas |                   |
| McCurry             | Turner           |                   |

By unanimous consent the verification of the roll call was dispensed with.

Upon the passage of the resolution the ayes were 138, nays 0.

The resolution having received the requisite constitutional majority was passed as amended.

By unanimous consent the following resolution was read, to-wit:

By Mr. Johnson, of Bartow—

A resolution to change and fix the hours of meeting of the House.

The resolution was lost.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to-wit:

A resolution authorizing the State Librarian to furnish Acts of the General Assembly and reports of Court of Appeals and Supreme Court to the various new counties.

The Senate has passed by a requisite constitutional majority the following bills of the Senate, to-wit:

A bill to define the rights of Orphans Homes and Asylums or other benevolent institutions of this State.

Also,

A bill to require County Commissioners and Ordinaries or other authorities having charge of public works to pay costs to officers.

Also,

A bill to provide for the regular exchange between Georgia and other States, of State documents, for supplying our State institutions with similar material and for other purposes.

By unanimous consent the following resolution was read and adopted, to-wit:

By Messrs. McCrary, of Schley and Sheppard, of Sumter—

A resolution tendering the sympathy of the House to the family of Hon. W. D. Murray, deceased.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Sheppard, of Sumter—

A bill to authorize the Secretary of State to confer upon certain corporations the powers of trust companies.

Referred to Committee on Banks and Banking.

By Mr. Moss, of Cobb—

A bill to prevent the procuring of females for immoral purposes.

Referred to Committee on General Judiciary.

By Messrs. Tuggle, of Troup; Ault, of Polk and McCutchen, of Heard—

A bill to amend an Act to create a Prison Commission for the State of Georgia.

Referred to Committee on Penitentiary

By Messrs. Moss, of Cobb and Rosser. of Walker—

A bill to provide for the trials of injunctions. motions for new trials. etc.

Referred to Committee on General Judiciary.

By Mr. Alexander, of DeKalb—

A resolution making inquiries of the Prison Commission as to the condition at the prison farm.

Lie on table one day.

By Messrs. Hardman, of Jackson and Brown, of Fulton—

A bill to appropriate funds for the completion of State Sanitarium for treatment of tuberculosis.

Referred to Committee on Appropriations.

By Mr. Carswell, of Wilkinson—

A bill to amend Section 982. Volume 1. of the Code, so as to make the town of Gordon a State Depository.

Referred to Committee on Banks and Banking.



By Messrs. Fairecloth, of Johnson and Lewis, of Hancock—

A bill to amend Section 574, Volume 1, of the Code.

Referred to Committee on General Judiciary.

By Mr. Boyd, of Spalding—

A bill to allow the manufacture of domestic wines under certain restrictions.

Referred to Committee on Temperance.

By Mr. Reid, of Campbell—

A bill to provide a stenographer for the Insurance Department, etc.

Referred to Committee on Insurance.

By Messrs. Simpson, McConnell, Bell, Woodliff—

A bill to require street railway companies to allow inter-urban railways the use of their tracks.

Referred to Committee on Railroads.

By Messrs. Wohlwender and Slade, of Muscogee—

A bill to authorize the sale of a part of the commons of the City of Columbus.

Referred to Committee on Special Judiciary.

By Mr. Edwards, of Walton—

A bill to amend Section 974 of the Penal Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Edwards, of Walton—

A bill to amend Section 939 of the Penal Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Edwards, of Walton—

A resolution providing for adjournment of the General Assembly on July 21st, 1910.

Referred to Committee on Rules.

By Mr. Wood, of Banks—

A bill to appropriate \$1,000 to each county for the improvement of public roads.

Referred to Committee on Appropriations.

By Mr. Culberson, of Lincoln—

A bill to amend Section 4147 of the Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Alley, of White—

A bill to amend Section 574, Volume 1 of the Code of 1895.

Referred to Committee on General Judiciary.

The following resolutions were adopted, to-wit:

By Mr. Upshaw, of Douglas—

A resolution providing for the acceptance of the invitation to lunch with the Atlanta Alumni of the School of Technology.

By Mr. Barrett, of Stephens—

A resolution providing that the Secretary of State be instructed to furnish the House with spring water.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bill of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass as amended, to-wit:

A bill to fix terms of Supreme Court of Georgia.

Also the following bill of the House with the recommendation that the same do pass, to-wit:

A bill to amend Section 220, Code 1895, relative to criminal trespass.

Also the following resolution of the House with the recommendation that same do not pass, to-wit:

A resolution to appoint a joint Committee to draft a bill re-arranging Judicial Circuits.

Also the following bills of the House with the recommendation that same do not pass, to-wit.

A bill to make accused persons competent to testify in their own behalf in criminal cases.

A bill to provide for admission in evidence certain instruments of writing affecting titles of land.

A bill to prevent cutting timber, etc., on land without consent of owner.

Also the following bill of the House with the recommendation that same be re-referred to Committee on Hygiene and Sanitation, to-wit:

A bill to provide for mosquito bars in certain hotels.

Respectfully submitted,

J. H. HALL, Chairman.

A communication was received from J. L. Barron, Keeper of Public Buildings and Grounds, praying the House to make a thorough and searching investigation of the charges made against him and the affairs in his office, which was referred to the Committee on Public Property

By unanimous consent House Bills Nos. 11, 12, 13 were taken from the table and placed on the Calendar.

By unanimous consent Senate Bill No. 7 was re-committed to the Committee on Game and Fish.

House Bill No. 55 was taken from the General Judiciary Committee and recommitted to Committee on Hygiene and Sanitation.

Under the head of unfinished business the following bills were put upon their passage, to-wit:

By Mr. Hall, of Bibb—

A bill to regulate pleadings in regard to the manner in which negligence may be alleged in cases where a presumption thereof arises upon proof of given facts or circumstances.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 104, nays 7.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of DeKalb—

A bill to create the office of special agent for the affairs of the W. & A. R. R.

Mr. Barrett, of Stephens, offered a substitute for the above to place the affairs of the W. & A. R. R. in the hands of the R. R. Commission, which was adopted.

The report of the Committee which was favorable to the passage of the bill as amended, was agreed to by substitute.

On the passage of the bill the ayes were 94, nays 3.

The bill having received the requisite Constitutional majority was passed by substitute.

The following bill was read the third time and put on its passage, to-wit:

By Messrs. Tippins, of Appling; Boyd, of Spalding;  
MacIntyre, of Thomas; McMichael, of Butts—

A bill to regulate the running of automobiles, etc., on the highways of this State.

On motion the aboye bill together with the substitute were tabled and 200 copies ordered printed for the use of the House.

House Bill No. 402 was taken from the table and placed on the Calendar by unanimous consent.

By unanimous consent House Bill No. 127 was taken from the table and placed on the Calendar.

House Bill No. 50 was tabled on motion of Mr. Wright, of Floyd.

Mr. Reid, Chairman of the Committee on Ways and Means, submitted the following report:

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration the following bill of the House which they instruct me, as their Chairman, to re-

port back to the House with the recommendation that the same do pass, to-wit:

By Mr. Anderson, of Chatham—

A bill to be entitled an Act to amend an Act entitled an Act to annually levy and collect a tax for the support of the State government, approved August 16, 1909.

Also the following bill which they instruct me to report back to the House with the recommendation that the same do pass as amended, to-wit:

By Mr. Adams, of Hall—

A bill to be entitled an Act to amend General Tax Act approved August 16, 1909, so as to repeal tax on dogs.

Also the following bill of the House which they instruct me to report back to the House with the recommendation that the author be allowed to withdraw the same, to-wit:

By Mr. Wight, of Grady—

A bill to amend Sections 839, 840, 842 of Volume 1 of the Code of 1895.

They have also had under consideration the following bills of the House which they instruct me to



report back to the House with the recommendation that the same do not pass, all being bills to repeal tax on dogs, the same being so reported because one bill to same effect has already been reported favorably, to-wit:

714 By Mr. Drawdy, of Clinch

728 By Mr. Fairecloth, of Johnson.

755 By Mr. McCrory, of Schley.

708 By Messrs. Baker, of Lumpkin and Hurlander, of Catoosa.

730 By Mr. Edwards, of Walton.

713 By Mr. Upshaw, of Douglas.

They have also had under consideration the following bill of the House which they instruct me to report back to the House with recommendation that same do not pass, to-wit:

By Mr. Garlington, of Richmond—

A bill to provide compensation for Ordinaries for the collection of near beer tax.

Respectfully submitted,

C. S. REID,

Chairman.

The following bill was read the third time and put upon its passage, to-wit:

By Messrs. Fullbright, of Burke and White, of Screven—

A bill to make it unlawful for any person to carry a pistol without first having taken out a license from the Ordinary.

By unanimous consent the session was extended until the above bill be disposed of.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 100, nays 25.

The bill having received the requisite constitutional majority was passed.

Mr. Hall, of Bibb, moved that when the House adjourn it stand adjourned until 9 o'clock to-morrow morning which motion prevailed.

Mr. Anderson, of Chatham, moved to adjourn, which motion prevailed and the Speaker announced the House adjourned until 9 o'clock to-morrow morning

ATLANTA, GEORGIA,

WEDNESDAY, JUNE 29, 1910.

The House met pursuant to adjournment at 9 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by Rev. Arthur H. Gordon, of Atlanta.

The roll was called and the following members answered to their names:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Adams               | Brown of Murray | English               |
| Alexander of DeKalb | Burch           | Evans                 |
| Alexander of Fulton | Butt            | Fairecloth            |
| Allen               | Buxton          | Fender                |
| Alley               | Calbeck         | Field of DeKalb       |
| Anderson of Bullock | Cannon          | Fields of Crisp       |
| Anderson of Chatham | Carswell        | Ford                  |
| Armistead           | Carter          | Fullbright            |
| Atherton            | Chandler        | Garlington            |
| Atkinson            | Childs          | Gastley               |
| Ault                | Converso        | Gillis                |
| Barksdale           | Cooko           | Godley                |
| Bagley              | Cordell         | Graddick              |
| Bailey              | Couch           | Griffin of Sumter     |
| Baker               | Cowan           | Griffin of Twiggs     |
| Barrett             | Culbertson      | Gayton                |
| Beacham             | Cureton         | Hall                  |
| Bell                | Daniel          | Hardeman of Jefferson |
| Berry               | Davis           | Hardman of Jackson    |
| Booker              | Dickson         | Harrington            |
| Boyd                | Drawdy          | Harvey                |
| Brinson of Decatur  | Edmondson       | Hatfield              |
| Brinson of Emanuel  | Edwards         | Heard                 |
| Brown of Carroll    | Elder           | Helms                 |
| Brown of Fulton     | Ellis           | Henderson of Irwin    |
| Brown of Henry      | Ellison         | Henderson of Turner   |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Hendricks             | Mos1                | Shirley           |
| Hill                  | MacFarland          | Simmons           |
| Holder of Floyd       | MacIntyre           | Simpson           |
| Holtzelaw             | McArthur            | Slade             |
| Howell                | McCarthy            | Smith of Gilmer   |
| Hubbard               | McConnell           | Smith of Tattnall |
| Hullender             | McCrory             | Smith of Walton   |
| Huie                  | McCurry             | Stovall           |
| Johnson of Bartow     | McCutchen           | Strong            |
| Johnson of Jeff Davis | McElreath           | Stubbs            |
| Johnson of Towns      | McMahan             | Stubbs of Putnam  |
| Joiner                | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Laurens      | McMichael of Marion | Tarver            |
| Jones of Meriwether   | McWhorter           | Tippins           |
| Jones of Mitchell     | Olive               | Tracey            |
| Keith                 | Parker of Decatur   | Tuggle            |
| Kelley                | Parker of Talbot    | Turner            |
| Kendrick              | Paulk               | Turnipseed        |
| Kennedy               | Peacock             | Upshaw            |
| Kicklighter           | Persons             | Vinson            |
| Kidd                  | Pickett             | Waddell           |
| Kirby                 | Pierce              | Walters           |
| Lawrence              | Popo                | Warden            |
| Lewis                 | Porter              | Watkins           |
| Littleton             | Priest              | White of Screven  |
| Lord                  | Proctor             | Whiteley          |
| Lovejoy               | Reaves              | Wight of Grady    |
| Martin                | Redding             | Williams          |
| Meadows of Telfair    | Reese               | Wohlwend          |
| Meadows of Toombs     | Reid of Campbell    | Wood              |
| Middlebrooks          | Reid of Macon       | Woodliff          |
| Miller of Calhoun     | Rentz               | Wright of Floyd   |
| Miller of Ware        | Robert              | Wright of Stewart |
| Milikin               | Rogers              | Mr. Speaker       |
| Mitchell              | Rosser              |                   |
| Moore                 | Sheppard            |                   |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. Harrington, of Liberty—

A bill to amend an Act to create a Board of Commissioners for the County of Liberty.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority, was passed and on motion of Mr. Harrington was ordered immediately transmitted to the Senate.

By unanimous consent the following bills were read the first time, to-wit:

By Messrs. Smith, of Gilmore, Wright, of Floyd, Butt, of Fannin; Berry, of Union—

A resolution memorializing the General Assembly of Tennessee to provide an additional Judge for the Circuit Court of Polk County Tennessee.

Lie on table one day.

By Mr. Reid, of Campbell—

A bill to require the public road fund of certain

counties to be apportioned amongst the Militia Districts of said counties.

Referred to Committee on Counties and County Matters.

By Mr. Hall, of Bibb—

A bill to repeal Nos. 871, 872, 873, Volume 1, of the Code 1895, relating to tax defaulters.

Referred to Committee on General Judiciary.

By Mr. Miller, of Calhoun—

A bill to abolish the City Court of Calhoun County.

Referred to Committee on General Judiciary

By Mr. Calbeck, of Gordon—

A bill to fix the fees to be paid by local fire and storm insurance companies, etc.

Referred to Committee on General Judiciary.

By Messrs. Adams, and Carter, of Hall—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Hall County.

Referred to Committee on Counties and County Matters.

By Mr. Hall, of Bibb—

A bill to amend and construe an Act to amend Section 2388 of the Civil Code of 1895.

Referred to Committee on General Judiciary

By Mr. Hall, of Bibb—

A bill to amend Section 787, Volume 1, of the Code relative to County Railroad taxes.

Referred to Committee on General Judiciary

By Mr. Hall, of Bibb—

A bill to authorize the Board of Commissioners of Bibb County to sell county bonds for certain purposes.

Referred to Committee on General Judiciary.

By Mr. Persons, of Monroe—

A bill to amend Paragraph 2, Section 6, Article 7 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Miller, of Ware—

A bill to regulate the butchering of cattle in Ware county.

Referred to Committee on Counties and County Matters.

By Messrs. Rosser, Cureton, Hullender and Tarver—

A bill to create a new Superior Court Circuit to be known as the Chicamauga Circuit.

Referred to Committee on Special Judiciary.

By Mr. Watkins, of Carroll—

A bill to repeal Section 1110, Volume 3 of the Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Reid, of Macon—

A bill to amend an Act to create the City Court of Oglethorpe.

Referred to Committee on Special Judiciary.



By Mr. Williams, of Madison—

A bill to incorporate the town of Ila.

Referred to Committee on Corporations.

By Messrs. Smith and Kennedy, of Tattnall—

A bill to amend Section 4147 of the Code of 1895.

Referred to Committee on General Judiciary.

By Messrs. Parker, of Talbot and Burch, of Laurens—

A bill to amend an Act to amend Section 2166 of the Code of 1895.

Referred to Committee on Railroads.

By Mr. Moss, of Cobb—

A bill to amend an Act to amend Section 2166 of the Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Kidd, of Baker—

A bill to abolish the City Court of Newton.

Referred to Committee on Special Judiciary.

By Mr. McMichael, of Marion—

A resolution to make House Bills Nos. 11, 12, 13 special orders.

Referred to Committee on Rules.

Mr. White, Chairman of the Committee on Pensions, submitted the following report:

*Mr Speaker:*

The Committee on Pensions having had under consideration the following bills and resolutions, beg to return the same with the following recommendations:

House Resolution No. 178.—A resolution to pay Mrs. J. W. Hardin pension due her husband, J. H. Hardin, for 1897. Do not pass.

House Resolution No. 783.—Entitled, a bill to amend a bill that was approved December 18, 1901 to amend Section 5 of an Act of December, 1896, fixing the term of the office of Commissioner of Pensions should continue, and for other purposes. Do pass.

House Resolution No. 177.—A resolution to pay Mrs. R. A. Lynn the pension due to her for the years of 1903, 1904, 1905, 1906 and 1907. Do pass.

Respectfully submitted,

WHITE, Chairman.

Mr. Fullbright, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr Speaker:*

Your Committee on Special Judiciary have had under consideration certain bills and instruct me as its Chairman to report them as follows:

House Bill No. 17.—Do not pass.

House Bill No. 18.—Do not pass.

House Bill No. 724.—Do pass.

House Bill No. 729.—Do pass as amended.

House Bill No. 699.—Do pass as amended.

House Bill No. 781.—Do pass.

House Bill No. 711.—Do pass.

House Bill No. 785.—Do pass.

House Bill No. 775.—Do pass.

House Bill No. 630.—Do pass.

House Bill No. 742.—Do pass.

House Bill No. 602.—Do not pass.

House Bill No. 603.—Do pass.

House Bill No. 499.—Do not pass.

House Bill No. 190.—Do not pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Jones, of Meriwether, Chairman of the Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations has had under consideration the following bills and instruct me as their Chairman to report same back with the recommendation that they do pass.

To appropriate \$25,000 for the State Normal School.

Also

To appropriate \$35,000 for the Georgia School of Technology.

Also

To appropriate 35,000 for the Georgia Normal and Industrial School at Milledgeville.

Respectfully submitted,

W. R. JONES, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to regulate and limit mortgage fi fas to seven years.

Also

A bill to amend an Act approved August 23, 1907, relative to the Railroad Commission.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended, by a requisite

Constitutional majority the following House bill, to-wit:

A bill to put in force the Constitutional amendment, ratified at the election in 1908, providing for the payment of pensions to the widows of ex-Confederate soldiers, and for other purposes.

ATLANTA, GA., June 29, 1910.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr. Speaker:*

I am directed by His Excellency the Governor, to deliver to the General Assembly a communication in writing:

STATE OF GEORGIA,  
EXECUTIVE DEPARTMENT,  
ATLANTA, GA.

June 28, 1910.

*To the General Assembly:*

A short time after I came into office, I employed the services of a competent and reliable firm of expert accountants to make a thorough investigation

of the then condition of the State Treasury, with reference to receipts and disbursements. I herewith submit to you the report as made to me by Alonzo Richardson & Company (Appendix A)

On June 8, 1910, for information in the preparation of my message, I called on the State Treasurer to advise me as to the amount of unpaid appropriations and an estimate of the revenue to be received during the remainder of the year. I herewith submit his report as made to me. (Appendix B)

Permit me to call your attention to the fact that the Treasurer's statement estimates that on January 1, 1911, there will be unpaid balances on appropriations of the present year approximating \$550,000, and that there will be in the Treasury at that time available to meet the unpaid appropriations only \$490,845.82, or a deficiency of \$59,154.18, with all taxes estimated to be collected during the present year expended.

These matters are submitted to you for your information and guidance in dealing with appropriations and other legislation affecting the financial condition of the State.

In this connection, I call your attention to the closing words of the Treasurer's statement, viz:

“If the fiscal year ended June 30, instead of December 31st, a statement of the State's financial

condition could be shown that would be definite and more easily understood, dealing with actual figures and not estimates.”

I am in accord with the Treasurer’s implied suggestion that the fiscal year should end June 30, instead of December 31. This would be more in harmony with the meetings of the General Assembly and is the date adopted by many States and by Federal government.

Respectfully submitted,

JOSEPH M. BROWN,

Governor.



(Appendix A)

REPORT OF AUDITOR.

ATLANTA, GA., October 8, 1909.

HON. JOSEPH M. BROWN, *Governor*,  
Atlanta, Ga.

DEAR SIR:—

We have examined the accounts of the Treasury Department and office of the Comptroller-General with special reference to the State's income and the relative proportion of expenses as governed by legislative appropriations for the years 1908 and 1909, and desire to give you a summary of our findings.

It is well in the beginning to call attention to the fallacy of confusing such receipts with revenue, and treating the total receipts at the Treasury during any calendar year as the revenue for that year. Statements made up on any such basis may lead legislative committees into grave error in making up appropriation sheets.

The total receipts at the Treasury during the year 1908, as shown in published statement of the department, and as verified by us in the course of our examination, aggregated \$5,388,273.16, while the total revenue for the year amounted to only \$4,879,860.98, a difference of \$508,412.18. This total revenue includes collections during the year 1908 on account

of revenue for that year, collections to June 30th, 1909, on account of revenue for 1908 and, in addition, \$55,722.01, belonging in accounts of 1908, but which was still unpaid on June 30th, 1908.

During the fall of 1907 we had almost a panic, collections were slow and, as a consequence, more unpaid taxes were carried over on December 31st than were brought over from the year 1908 to January 1st, 1909, by \$322,503.23.

The difference of \$508,412.18, between cash receipts for 1908 and actual revenue for the year, is made up as follows:

|  |              |
|--|--------------|
| Temporary Loan, included in receipts---  | \$ 50,000.00 |
| Receipts from convict hire apportioned<br>to counties and not treated as either<br>revenue or expense----- | 135,908.95   |
| Shrinkage in asset of uncollected taxes,<br>as explained above-----  | 322,503.23   |
|  | <hr/>        |
| Total-----   | \$508,412.18 |

In making up estimate of revenue for year 1909, it must be borne in mind that many items making up the grant total are subject to fluctuations that cannot be anticipated at this time and that no absolutely accurate estimate can be made; but, basing our figures on experience of former years and allowing for the probable increase or decrease in various items, we have made an estimate that in the end will, we believe, prove approximately correct.

We estimate revenue for year 1909 at--\$4,941,598.74  
 As against known revenue for 1908 of-- 4,879,860.98

---

Increase-----\$ 61,737.76

This increase of \$61,737.76 is made up of anticipated gains in revenue from Special Taxes, General Ad Valorem Tax, Near Beer Fees, and a number of smaller items; while we figure there will be a decrease in some items, the only one of considerable importance being revenue from hire of convicts.

With an estimated increase of \$61,737.76 in revenue, the appropriations for the two years are as follows:

For the year 1909-----\$5,173,806.88

(Above includes \$69,000 for W. & A.

Terminals at Chattanooga)

For year 1908----- 4,961,739.66

---

Increase-----\$ 212,067.22

Comparing increase in appropriations with increased revenue, we have:

Increase in appropriations-----\$212,067.22

Increase in revenue----- 61,737.76

---

Excess of increased appropriations--\$150,329.46

The main items making up increase of \$212,067.22 are Common School Fund, \$250,000, and W. & A.

Terminals, \$69,000. Quite a number of other appropriations have been reduced.

You will see from these figures that while the Appropriations for 1908 aggregated--\$4,961,739.66 the revenue for the same year was only 4,879,860.98

---

|                                      |              |
|--------------------------------------|--------------|
| Excess of appropriations or expenses |              |
| for year -----                       | \$ 81,878.68 |

While for year 1909,

|                                |                |
|--------------------------------|----------------|
| Appropriations aggregate ----- | \$5,173,806.88 |
| Estimated revenue -----        | 4,941,598.74   |

---

|                                       |               |
|---------------------------------------|---------------|
| Excess of appropriations for year---- | \$ 232,208.14 |
|---------------------------------------|---------------|

It will be seen from the above that the State spent in excess of revenue during the year 1908 \$81,878.68 and in present year is spending in excess

|                           |            |
|---------------------------|------------|
| of estimated revenue----- | 232,208.14 |
|---------------------------|------------|

---

\$314,086.82

Manifestly this policy if persisted in for any great number of years, will lead to serious complications.

Keep in mind that the Constitutional limit of five mills General Ad Valorem Tax was reached in 1907 and cannot be raised above that rate.

On January 1st, 1908, the State owed on account of unpaid appropriations for 1907----\$1,061,841.66  
To which add:

|                                     |            |
|-------------------------------------|------------|
| Bonds, past due and not presented__ | 3,500.00   |
| Temporary loans and interest_____   | 155,890.03 |

---

Total over due\_\_\_\_\_ \$1,221,231.69

Add bonds and interest due January

|                 |            |
|-----------------|------------|
| 1st, 1908 _____ | 245,577.50 |
|-----------------|------------|

---

Total\_\_\_\_\_ \$1,466,809.19

|                              |            |
|------------------------------|------------|
| Cash in hand aggregated_____ | 820,740.17 |
|------------------------------|------------|

---

Excess of demand liabilities over cash

|               |               |
|---------------|---------------|
| in hand _____ | \$ 646,069.02 |
|---------------|---------------|

Collections on account of General Taxes were better in fall of 1908, and on January 1st, 1909, the condition was as follows:

|                                   |               |
|-----------------------------------|---------------|
| Unpaid appropriations, 1908 _____ | \$ 840,498.68 |
|-----------------------------------|---------------|

To which add:

|                                     |          |
|-------------------------------------|----------|
| Bonds, past due, not presented_____ | 3,500.00 |
|-------------------------------------|----------|

|                      |           |
|----------------------|-----------|
| Temporary loan _____ | 50,000.00 |
|----------------------|-----------|

---

Total over due\_\_\_\_\_ \$ 893,998.68

Add bonds and interest due January

|               |            |
|---------------|------------|
| 1, 1909 _____ | 243,327.50 |
|---------------|------------|

---

Total\_\_\_\_\_ \$1,137,326.18

|                              |            |
|------------------------------|------------|
| Cash in hand aggregated_____ | 638,717.82 |
|------------------------------|------------|

---

Excess of demand liabilities over cash

|               |               |
|---------------|---------------|
| in hand _____ | \$ 498,608.36 |
|---------------|---------------|

Nearly as we can estimate, the condition of the Treasury on January 1, 1910, will be as follows:

Liabilities—

|                                    |                |
|------------------------------------|----------------|
| Brought over unpaid from year 1908 |                |
| as above -----                     | \$ 893,998.68  |
| Appropriations year 1909-----      | 5,173,806.88   |
|                                    | <hr/>          |
| Total maturing to Dec. 31, 1909--  | \$3,067,805.56 |
| Add bonds and interest due January |                |
| 1, 1910 -----                      | 241,077.50     |
|                                    | <hr/>          |
| Total-----                         | \$6,308,883.06 |

To pay above—

|  |                |
|--|----------------|
| Cash in hand Jan. 1,                     |                |
| 1909 -----                               | \$ 638,717.82  |
| Estimated collections--                  | 4,941,598.74   |
|  | <hr/>          |
|  | \$5,580,316.56 |
| Estimated cash deficit January 1, 1910-- | \$ 728,566.50  |

In this statement we estimate collections for the year at an amount equal to the year's revenue. It is true that in 1908 the collections amounted to more, but that was due to the slow payments on account of taxes for 1907 and the unusually large amount that reached the Treasury after December 31, 1907, and was included in the Treasurer's statement of cash receipts for year 1908. As already explained, the tax revenue brought over from 1908 to be col-

lected this year is \$322,503.23 less than in 1907 tax brought over and collected in 1908.

We would like to call attention to some matters that seem to have escaped the attention of our Legislators. The State is working on the theory that the appropriations for any calendar year must be met by the tax levy and other revenue for that year. While some items of revenue are under the law payable monthly, nearly all special taxes are reported quarterly, and the fourth quarter's collections do not reach the Treasury until after January 1st of the succeeding year.

The general Ad Valorem Tax, comprising, as it does this year, about 58 per cent. of the total revenue, cannot be paid until late in the year. Under our law, the tax books close on December 20, and collectors have until April 20 of the following year to make their settlements. As a result, a very large proportion of this tax reaches the Treasury in February, March and April, and even later in the year following that in which it accrues.

While it takes sixteen months or more to collect the revenue, the expenses or appropriations are all due within twelve months.

Of the total appropriations for this year (5,173,806.88) two items constitute three-fifths: pensions, \$950,000; common schools, \$2,260,000.

On January 1st, 1908, balance due school fund was \$932,603.20. That amount was paid during year 1908, but on January 1, 1909, the balance unpaid on account of appropriations for 1908 was \$726,266.28..

We have been allowed free and full access to all books and records needed in the course of our examination, and wish to thank the officials and employes of both the comptroller's office and the Treasury Department for the courtesies shown us.

Respectfully submitted,

(Signed)

ALONZO RICHARDSON & Co.,

Certified Public Accountants.



## (Appendix B.)

## STATEMENT OF TREASURER.

| Account                  | Amount Drawn | Balance Undrawn<br>Jan. 1, 1910 | E. Appro. 1910 | Balance Undrawn. |
|--------------------------|--------------|---------------------------------|----------------|------------------|
| Civil Estb               | \$112,450.00 |                                 | \$218,890.26   | \$106,440.26     |
| Contingent fund          | 3,429.83     | 6,436.75                        | 15,000.00      | 16,006.92        |
| Geological fund          | 4,375.00     | 5,303.71                        | 10,000.00      | 10,928.71        |
| Solicitor General        | 2,955.00     |                                 | 5,855.00       | 2,900.00         |
| Overpayment taxes        | 1,523.79     |                                 | 3,741.29       | 2,217.50         |
|                          |              | 1909                            |                |                  |
| School fund              | 536,330.31   | 553,423.21                      |                | 17,092.19        |
| School fund              | 418,436.10   |                                 | 2,250,000.00   | 1,831,563.90     |
| Pub. records, etc.       | 1,450.00     | 14,217.59                       | 6,016.52       | 18,784.11        |
| Agricultural Schools     | 55,000.00    | 604.20                          | 105,600.00     | 51,204.20        |
| Printing fund            | 19,011.08    | 3.00                            | 25,000.00      | 5,991.92         |
| Academy Blind            | 12,200.00    |                                 | 23,000.00      | 10,800.00        |
| Board of Health          | 13,000.00    | 500.00                          | 21,500.00      | 9,000.00         |
| Colored College          | 4,040.00     | .06                             | 8,000.00       | 3,960.06         |
| Cig. Fd. R. R. Com.      | 2,250.00     |                                 | 3,000.00       | 750.00           |
| Cig. Fd. Superior Ct     | 588.77       | 401.06                          | 1,200.00       | 1,012.29         |
| Cattle Inspection        |              | 325.00                          | 500.00         | 825.00           |
| Cont. Exp. Gen. Assembly |              |                                 | 125.00         | 125.00           |
| Dept. of Agriculture     | 13,500.00    | 3,000.00                        | 21,000.00      | 10,500.00        |
| Experiment Sta.          | 229.03       | 450.56                          | 800.00         | 1,021.53         |
| Sanitarium               | 212,211.00   | .30                             | 424,422.00     | 212,211.30       |
| Ga. N. & I. College      | 21,320.00    |                                 | 42,500.00      | 21,180.00        |
| Horticultural Fund       | 11,000.00    | 973.66                          | 17,000.00      | 6,973.66         |
| Indexing Journals        | 75.00        |                                 | 150.00         | 75.00            |
| Binding Journals         |              |                                 | 500.00         | 500.00           |
| Pensions                 | 939,900.50   | 33,499.05                       | 940,000.00     | 33,598.55        |
| Oil Inspector            | 646.95       | .30                             | 1,200.00       | 553.35           |
| Land Script Fund         | 3,157.07     |                                 | 6,314.14       | 3,157.07         |
| Insurance Fund           |              | 59.89                           |                | 59.89            |

|                                 |                |               |              |                |
|---------------------------------|----------------|---------------|--------------|----------------|
| Library Fund-----               | 1,589.07       | 45.73         | 3,000.00     | 1,456.66       |
| Military Fund-----              | 9,868.76       | 9,868.76      | 25,000.00    | 25,000.00      |
| Ptg. Geological Department----- | 575.16         | 52.52         | 2,500.00     | 1,977.36       |
| N. Ga. A. M. College-----       | 10,880.00      |               | 21,500.00    | 10,620.00      |
| Prison Fund-----                | 43,608.20      | 2,274.89      | 88,000.00    | 46,666.69      |
| Ptg. Fd. R. R. Com.-----        | 640.45         | 518.41        | 2,000.00     | 1,877.96       |
| Pub. Bldgs. & C-----            | 14,820.00      |               | 25,000.00    | 10,180.00      |
| Pub. Ga. Reports-----           | 6,964.16       | 2,899.63      | 10,000.00    | 5,135.47       |
| Pub. Debt. Int-----             | 146,533.75     | 25,215.15     | 294,695.00   | 173,376.40     |
| Rate Expert-----                | 70.00          | 770.40        |              | 700.40         |
| Roster Fund-----                | 1,231.21       | 2,206.12      | 1,200.00     | 2,175.00       |
| School for Deaf-----            | 22,663.18      |               | 50,000.00    | 27,336.82      |
| School of Tech-----             | 35,200.00      |               | 70,000.00    | 34,800.00      |
| Soldiers Home-----              | 12,500.00      |               | 25,000.00    | 12,500.00      |
| Special appropriation-----      | 2,060.00       |               | 13,660.18    | 11,600.18      |
| State Normal-----               | 21,000.00      |               | 42,000.00    | 21,000.00      |
| State Agr'l College-----        | 30,000.00      |               | 60,000.00    | 30,000.00      |
| State University-----           | 26,750.00      | .02           | 45,500.00    | 18,750.02      |
| State Farmers Inst-----         | 1,250.00       |               | 2,500.00     | 1,250.00       |
| Summer School-----              | 5,000.00       |               | 5,000.00     |                |
| Sta. Gen Assembly-----          | 146.47         |               | 700.00       | 553.53         |
| Tuberculosis Sanitarium-----    | 10,000.00      | 7,000.00      | 12,000.00    | 9,000.00       |
| U'g. F'd. Ct. Ap-----           |                | 751.39        | 1,000.00     | 1,751.39       |
| Library Ct. Ap-----             | 100.50         | 722.83        | 1,000.00     | 1,622.33       |
| Binding Codes-----              | 200.00         |               | 200.00       |                |
| Sinking Fund-----               | 88,005.00      | 12,505.00     | 100,000.00   | 24,500.00      |
| Reward Fund-----                | 1,045.26       | 2,850.96      | 3,000.00     | 4,805.70       |
| Pub. Property Acct-----         |                |               |              |                |
| N. E. R. R. Inst-----           |                |               |              |                |
| 1902 to 1909 inc-----           |                | 28,087.50     |              | 28,087.50      |
| Legislative Payroll-----        |                |               | 67,100.28    | 67,100.28      |
|                                 |                | E             |              |                |
|                                 | \$2,883,780.51 | \$ 714,967.65 | \$122,869.67 | \$2,954,056.81 |

|                           |       |              |
|---------------------------|-------|--------------|
| Balance Cash Jan. 1, 1910 | ----  | \$486,157.89 |
| Receipts First Qtr.       | ----- | 2,258,737.23 |
| Receipts, April           | ----- | 394,587.77   |
| Receipts May              | ----- | 125,992.04   |
| Receipts, June 8th        | ----- | 32,185.68    |

---

\$3,297,660.61

|  |                |
|--|----------------|
| Warrants drawn per schedule                      | \$2,883,780.51 |
| Less amt. reverted into Treasury<br>since Jan. 1 | 731.12         |

---

\$2,883,049.39

Cash balance June 8, 1910----- 414,611.22

---

\$3,297,660.61

|  |       |              |
|--|-------|--------------|
| Balance June 8, 1910   | ----- | \$414,611.22 |
| Estimated receipts for the balance of the year,<br>including increase advalorem taxes, etc | ----- | 2,546,802.36 |

---

\$2,961,403.58

|  |                |
|--|----------------|
| Appropriations undrawn June 8  | \$2,954,056.81 |
| Less Estimate of appropriations<br>which will not be presented for<br>payment by January 1, 1911 | 550,000.00     |

---

\$2,404,056.81

Sinking Fund held in reserve... 100,000.00

---

\$2,504,056.81

|   |       |           |
|---|-------|-----------|
| Amount of pensions which will<br>revert into the Treasury | ----- | 33,499.05 |
|---|-------|-----------|

---

\$2,470,557.76

Estimated cash in Treasury (Jan.  
1, 1911)----- 490,845.82

---

\$2,961,403.58 \$2,961,403.58

#### Condition of Cash June 8, 1910.

Cash balance June 8, 1910 ----- \$414,611.22

|                     |              |
|---------------------|--------------|
| Advances            |              |
| Civil Establishment | \$35,599.49  |
| Expense             | 8.47         |
| Bonds and Coupons   | 9,717.50     |
| Registered Interest | 775.00       |
|                     | 46,100.46    |
|                     | \$46,100.46  |
|                     | \$368,510.76 |

**Amount Held in Reserve.**

|                         |              |              |
|-------------------------|--------------|--------------|
| Pub. property int.....  | \$28,087.50  |              |
| Outstanding bonds.....  | 24,500.00    |              |
| Coupons & Interest..... | 25,215.15    |              |
| Sinking fund.....       | 100,000.00   | \$177,802.65 |
|                         | <hr/>        |              |
|                         | \$177,802.65 | \$109,708.11 |

Available cash in Treasury June 8, 1910.

If all taxes due for 1910, collected and collectible, are credited, and all appropriations for 1901, paid and payable, are charged, the Treasury will have to its credit a balance January 1, 1911, of over \$2,000,000.00.

If the fiscal year ended June 30th instead of December 31st, a statement of the State's finance could be shown that would be definite and more easily understood, dealing with actual figures and not estimates.

Respectfully submitted,  
(Signed) J. P. BROWN,  
State Treasurer.

The following bill which was made the special order for this time was taken up for the purpose of agreeing or disagreeing to the unfavorable report of the Committee, to-wit:

By Messrs. Johnson, of Bartow and Alexander, of DeKalb—

A bill to amend Article 7, Section 2, Paragraph 2, of the Constitution which relates to the power of the General Assembly to exempt from taxation public property, etc., so that the General Assembly may exempt from taxation certain farm products, and for other purposes.

Mr. Hall, of Bibb, moved that the special order for this hour, 11 o'clock a. m., be postponed until 12 o'clock m., which motion prevailed.

Discussion on the above bill was then resumed.

Pending discussion on the bill the hour of 12 m. o'clock arrived and the special order,—the holding of memorial services on the life and character of Hon. A. S. Reid, of Putnam county, was taken up.

The Speaker appointed Messrs. Hall, of Bibb; Stubbs, of Putnam and Rentz, of Houston, as the Committee to escort the family of the deceased to chairs on the floor of the House.

After the widow and relatives of the deceased were escorted to the seats prepared for them the Speaker directed the Clerk of the House to read the resolution providing for the present services.

After remarks by Messrs. Stubbs, of Putnam; Heard, of Dooly; Boyd, of Spalding; Persons, of Monroe; Reese, of Glynn; Wright, of Floyd; Atkinson, of Morgan; Hall, of Bibb; Alexander, of DeKalb; McWhorter, of Greene; Simmons, of Bulloch; Fields, of Crisp.

Mr. Hall, of Bibb, moved that the resolution just read be adopted by a rising vote.

Mr. Fields, of Dooly, moved that the resolution be amended so as to require the Clerk of the House to send a copy of the same to the family of the deceased which was adopted.

The resolution as amended was then put to the House and unanimously adopted.

Mr. Hardeman, of Jefferson, moved to adjourn to meet again at 10 o'clock tomorrow morning, which motion prevailed.

Leave of absence was granted Mr. Brinson, of Decatur; Oliver, of Quitman.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GEORGIA,

THURSDAY, June 30, 1910.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by Rev. Jno. F. Purser.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Senate bills, to-wit:

A bill to regulate the operation of automobiles in this State.

Also

A bill to amend an Act to establish the City Court of Washington, in and for the county of Wilkes.

The undersigned Committee to consider and report a measure providing for more effectual secur-

ing a full and fair return of valuation of property, submitted the following report:

*To the Senate and House of Representatives:*

The joint Committee from the House and Senate, appointed under the authority of the joint resolution, adopted at the 1909 session of this General Assembly, to consider and report a measure or measures, providing for more effectual securing or full and fair returns and valuations of property, in this State for taxation, beg leave to submit the following report:

The Committee has had several meetings and given careful consideration to the important subject with which it was charged. Realizing that there is a very great need of legislation to meet present conditions, conditions involving gross inequality and unfairness in the bearing of the burdens of taxation, by the people and property of our State,—conditions under which contributions to the common expenses of our State and county governments are largely voluntary, the Committee has sought to find a remedy by which these burdens may be more fairly distributed.

The imperative need of legislation on this subject, in this State, has long been recognized, and the Legislature has repeatedly considered bills proposed to remedy the defects in our taxation system. The Committee had, therefore, the benefit of the



ideas of those members of former Legislatures who have carefully and ably investigated the subject, and formulated their conclusions in measures proposed by them.

In preparing the bill, which the Committee has approved, and authorized to be introduced in the House and Senate, liberal use has been made of the suggestions and ideas of these former bills, and little more has been done by this Committee than to attempt to harmonize and to simplify them as much as possible.

It was not deemed wise to attempt any radical change in our present system of giving and receiving tax returns.

What is proposed in the bill reported is intended to fit into our present taxation machinery and to make that machinery more effective.

The Committee, in conclusion takes the liberty of calling the attention of the General Assembly to the fact, that in view of the supreme importance of the subject dealt with by this bill, and in consideration of the universally admitted urgency of the need for remedial legislation in this matter, this bill should be given a consideration as prompt as the subject matter is important.

Respetefully submitted,

H. A. MATHEWS,

L. R. AKIN,

Committee on part of Senate.

C. S. REID,  
L. G. HARDMAN,  
HOOPER ALEXANDER,  
ROLAND ELLIS,  
HATTON LOVEJOY.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Adams, of Hall—

A bill to amend the General Tax Act of 1909, which provides for a tax on dogs.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Pickett, of Terrell—

A bill to provide for the rotation of judges of the Superior Courts of this State.

Referred to Committee on General Judiciary.

By Mr. Smith, of Gilmer—

A bill to prohibit the sale of all kinds of malt in the State of Georgia.

Referred to Committee on Temperance.

By Mr. Edwards, of Walton—

A bill to prevent any judge to express an opinion to the jury as to what has been proved by evidence.

Referred to Committee on General Judiciary

By Mr. Edwards, of Walton—

A bill to authorize defendants in criminal cases to be sworn and testify therein.

Referred to Committee on General Judiciary.

By Messrs. Brown and McElreath, of Fulton—

A bill to amend an Act to create a new charter for the city of Atlanta.

Referred to Committee on Special Judiciary.

By Mr. Edwards, of Walton—

A bill to authorize amendments to bills of indictments, presentments and accusations in this State.

Referred to Committee on General Judiciary.

By Mr. Converse, of Lowndes—

A bill to amend an Act to incorporate the Citizens Bank of Valdosta.

Referred to Committee on Banks and Banking.

By Mr. McCrory, of Schley—

A bill to provide for the permanent registration of voters.

Referred to Committee on General Judiciary

By Mr. McCrory, of Schley, et al.—

A bill to appropriate \$15,000 to the North Georgia Agricultural College at Dahlonega.

Referred to Committee on Appropriations.

By Mr. Tarver, of Whitfield—

A bill to increase the number of terms of the Superior Court of Whitfield county.

Referred to Committee on Special Judiciary

By Mr. Hardman, of Jackson—

A bill to make the president of the Board of Trustees of the State College of Agriculture, etc., ex-officio member of the Board of Trustees of the State University.

Referred to Committee on University of Georgia and Branches.

By unanimous consent House Bills Nos. 11, 12, 13 were recommitted to the Special Judiciary Committee.

By unanimous consent Senate Bills Nos. 39 and 119 were taken from the table and placed on the Calendar.

By unanimous consent the following resolutions were read, to-wit:

By Mr. Vinson, of Baldwin—

A resolution to make House Bill No. 16 a special order for Friday, July 8, 1910.

Referred to Committee on Rules.

By Mr. Littleton, of Richmond—

A resolution providing for the printing of 200 copies of House Bill No. 221.

Adopted.

By Mr. Reid, of Campbell—

A bill to appropriate \$5,000 to the Trustees of the State College of Agriculture.

Referred to Committee on Appropriations.

Mr. Keith, Chairman of the Committee on Public Property, submitted the following report:

The Committee on Public Property, to whom was reported the communications heretofore submitted to the House in respect to certain charges of improper conduct upon the part of the Keeper of Public Buildings and Grounds, beg to report that the attached resolution has been adopted by the Committee, and they instruct me as their Chairman to report the same with the recommendation that it do pass.

G. J. KEITH, Chairman.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do not pass, to-wit:

A bill to separate all pleas of idiocy, lunacy, and insanity in criminal trials in this State.

A bill to require clerks of Superior, county, and city or criminal courts to make quarterly statements to Attorney-General.

A bill to provide that all pertinent recitals of facts in deeds shall be prima facie evidence of the truth of the fact or facts, etc.

A bill to make it unlawful to play cards at any house or on land of another without owner's consent.

A bill to amend Section 220, Penal Code, 1895, relating to wilfull trespass.

Also the following bill of the House with the recommendation that same do pass, to-wit:

A bill to provide that larceny after trust for amounts less than \$50.00 shall be a misdemeanor.

Also the following bill of the House with the recommendation that same be withdrawn by the author.

A bill to create a lien in favor of launderers.

Respectfully submitted,

J. H. HALL, Chairman.

The following resolution was read and adopted, to-wit:

By Mr. Anderson, of Chatham—

A resolution providing that the Committee on Public Property be empowered to employ a stenog-

rapher, appoint a Sergeant-at-Arms, compel the attendance of witnesses, etc., in its investigation of charges preferred against the Keeper of Public Buildings and Grounds.

The report of the Committee appointed to visit the State Sanitarium at Milledgeville during last vacation submitted a report of their findings which was referred to the Committee on State Sanitarium.

By unanimous consent the following resolution was read the second time, to-wit:

By Mr. Moore, of Columbia—

A resolution to pay pension to Mrs. R. A. Lynn.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters after due consideration, report as to the following bills, to-wit:

That

House Bill No. 727 do pass.

House Bill No. 747 do pass.



House Bill No. 758 do pass.

All local bills.

Respectfully submitted,

MACINTYRE, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority, the following House bill, to-wit:

A bill to create a Board of Commissioners of Roads and Revenues for Clayton county.

On motion of Mr. Reid, of Campbell, the Governor's message received on yesterday was read and referred to the Committee on Ways and Means.

The following resolution was read and referred to the Committee on Rules, to-wit:

The following resolution was read and referred to the Committee on Rules, to-wit:

By Mr. Wohlwender, of Muscogee—

A resolution to make Senate Bill No. 119 the special order for Tuesday, July 5.

Under the head of unfinished business the following bill which was read the second time and recommitted on July 15, 1909, was again taken up for the purpose of agreeing to the unfavorable report of the Committee, to-wit:

By Messrs. Johnson, of Bartow, and Alexander, of DeKalb—

A bill to amend Article 7, Section 2, Paragraph 2, of the Constitution which relates to the power of the General Assembly to exempt certain property from taxation.

Mr. Edwards, of Walton, called the previous question, which call was sustained and the main question ordered.

On the question of agreeing to the unfavorable report of the Committee the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs:

|                     |                  |                    |
|---------------------|------------------|--------------------|
| Alexander of Fulton | Boyd             | Edmondson          |
| Alley               | Brown of Carroll | Evans              |
| Anderson of Chatham | Butt             | Fullbright         |
| Armistead           | Buxton           | Garlington         |
| Atherton            | Cannon           | Gastley            |
| Atkinson            | Carswell         | Godley             |
| Barksdale           | Carter           | Hall               |
| Bailey              | Childs           | Hardman of Jackson |
| Bell                | Converse         | Heard              |
| Berry               | Davis            | Henderson of Irwin |

|                       |                     |                  |
|-----------------------|---------------------|------------------|
| Holder of Floyd       | McElreath           | Reese            |
| Holtzelaw             | McMahan             | Reid of Macon    |
| Johnson of Jeff Davis | McMichael of Marion | Smith of Walton  |
| Johnson of Towns      | McWhorter           | Strong           |
| Jones of Mitchell     | Parker of Talbot    | Stubbs of Putnam |
| Lawrence              | Persons             | Tuggle           |
| Moore                 | Piera               | Wohlwender       |
| MacFarland            | Porter              | Wright of Floyd  |
| McCarthy              | Proctor             |                  |

Those voting in the negative were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Adams               | Harvey              | Paulk             |
| Alexander of DeKalb | Hatfield            | Peacock           |
| Allen               | Helm                | Popa              |
| Aul                 | Henderson of Turner | Pricc             |
| Bake                | Hendricks           | Reave             |
| Barrett             | Hill                | Reid of Campbell  |
| Booker              | Howell              | Rogers            |
| Brown of Henry      | Hubbard             | Rosse             |
| Brown of Murray     | Hullender           | Sheppard          |
| Calbeck             | Huie                | Shirley           |
| Chandler            | Johnson of Bartow   | Simpson           |
| Cordell             | Joiner              | Slade             |
| Couch               | Jones of Laurens    | Smith of Gilmer   |
| Cowan               | Keith               | Smith of Tattnall |
| Cureton             | Kelley              | Stoval            |
| Daniel              | Kendrick            | Tarver            |
| Dickson             | Kennedy             | Tippins           |
| Drawdy              | Kidd                | Turner            |
| Edwards             | Kirby               | Turnipseed        |
| Elder               | Lewis               | Upshaw            |
| Ellison             | Lord                | Waddell           |
| English             | Miller of Ware      | Walter            |
| Fairecloth          | Milikin             | Wasden            |
| Fender              | Mitchell            | Watkins           |
| Field of DeKalb     | MacIntyre           | White of Screven  |
| Ford                | McConnell           | Whiteley          |
| Gillis              | McCrory             | Wight of Grady    |
| Gaddick             | McCurry             | William           |
| Griffin of Twiggs   | McCutchen           | Wood              |
| Guyton              | McMichael of Butts  |                   |
| Harrington          | Parker of Decatur   |                   |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Anderson of Bullock | Jones of Meriwether | Pickett           |
| Bagley              | Kicklighter         | Redding           |
| Beacham             | Littleton           | Rentz             |
| Brinson of Decatur  | Lovejoy             | Roberts           |
| Brinson of Emanuel  | Martin              | Simmons           |
| Brown of Fulton     | Meadows of Telfair  | Stubbs of Thomas  |
| Burch               | Meadows of Toombs   | Tracey            |
| Cooke               | Middlebrooks        | Vinson            |
| Calberson           | Miller of Calhoun   | Woodliff          |
| Ellis               | Minter              | Wright of Stewart |
| Fields of Crisp     | Moss                | Mr. Speaker       |
| Griffin of Sumter   | McArthur            |                   |
| Hardeman of Jeffs'n | Oliver              |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 56, nays, 91. The report of the Committee was therefore disagreed to.

Mr. Alexander, of DeKalb, moved to adjourn on which motion Mr. Hall, of Bibb, called for the ayes and nays. The call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |          |                  |
|---------------------|----------|------------------|
| Adams               | Calbeck  | Dickson          |
| Alexander of DeKalb | Cannon   | Drawdy           |
| Allen               | Chandler | Edwards          |
| Anderson of Bullock | Converso | Elder            |
| Armistead           | Cordell  | Ellison          |
| Berry               | Couch    | English          |
| Brown of Henry      | Cowan    | Faireloth        |
| Brown of Murray     | Cureton  | Fender           |
| Buxton              | Daniel   | Field of T. Kalb |

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Ford                | Kennedy             | Roger             |
| Gillis              | Kidd                | Sheppard          |
| Giffin of Twiggs    | Lord                | Shirley           |
| Hatfield            | Martin              | Smith of Gilmer   |
| Helms               | Miller of Ware      | Smith of Tattnall |
| Henderson of Turner | Milikin             | Stovall           |
| Hendricks           | MacIntyre           | Tippins           |
| Hill                | McArthur            | Turner            |
| Howell              | McConnell           | Turnipseed        |
| Hubbard             | McCrory             | Upshaw            |
| Hullender           | McCurry             | Waddell           |
| Johnson of Bartow   | McCutchen           | Walters           |
| Johnson of Towns    | McMichael of Marion | Wasden            |
| Joiner              | Parker of Decatur   | White of Screven  |
| Jones of Laurens    | Peacock             | Whiteley          |
| Jones of Mitchell   | Pope                | Wight of Grady    |
| Keith               | Priece              | Williams          |
| Kelley              | Reid of Campbell    |                   |
| Kendrick            | Roberts             |                   |

Those voting in the negative were Messrs.:

|                     |                       |                    |
|---------------------|-----------------------|--------------------|
| Alexander of Fulton | Evans                 | Moore              |
| Alley               | Fullbright            | Moss               |
| Anderson of Chatham | Garlington            | MacFarland         |
| Atherton            | Gastley               | McCarthy           |
| Atkinson            | Godley                | McElreath          |
| Ault                | Graddick              | McMahan            |
| Barksdale           | Guyton                | McMichael of Butts |
| Bailey              | Hall                  | McWhorter          |
| Baker               | Hardman of Jackson    | Parker of Talbot   |
| Barrett             | Harrington            | Paulk              |
| Bell                | Harvey                | Persons            |
| Booker              | Heard                 | Pierce             |
| Boyd                | Henderson of Irwin    | Porter             |
| Brown of Carroll    | Holder of Floyd       | Proctor            |
| Butt                | Holtzelaw             | Reaves             |
| Carswell            | Johnson of Jeff Davis | Reese              |
| Carter              | Kirby                 | Reid of Macon      |
| Childs              | Lewis                 | Rosser             |
| Davis               | Miller of Calhoun     | Simpson            |
| Edmondson           | Mitchell              | Slade              |

|                  |            |                 |
|------------------|------------|-----------------|
| Smith of Walton  | Tuggle     | Wood            |
| Strong           | Watkins    | Woodliff        |
| Stubbs of Putnam | Wohlwender | Wright of Floyd |
| Tarver           |            |                 |

Those not voting were Messrs.:

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Bagley             | Hardeman of Jeffs'n | Olive             |
| Beacham            | Huie                | Pickett           |
| Brinson of Decatur | Jones of Meriwether | Redding           |
| Brinson of Emanuel | Kicklighter         | Rentz             |
| Brown of Fulton    | Lawrence            | Simmons           |
| Burch              | Littleton           | Stubbs of Thomas  |
| Cooke              | Lovejoy             | Tracey            |
| Culberson          | Meadows of Telfair  | Vinson            |
| Ellis              | Meadows of Toombs   | Wright of Stewart |
| Fields of Crisp    | Middlebrooks        | Mr. Speaker       |
| Griffin of Sumter  | Minter              |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 82, nays, 70. The motion to adjourn therefore prevailed.

The following communication from Mr. Wright, of Floyd, was read and the request granted, to-wit:

*Mr. Speaker:*

I desire to be permitted to resign the Chairmanship of the Committee on Insurance, on account of business connections formed since the last session of the Legislature.

Yours very truly,

PERRY VINSON.

June 30, 1910.

Granted.

The Speaker then announced the appointment of Mr. Chandler, of Franklin, as Chairman of the Committee on Insurance, vice Mr. Wright, resigned.

Leave of absence was granted Messrs. Buxton, of Burke; Alley; Butt, of Fannin.

The Speaker then announced the House adjourned until 10 o'clock tomorrow morning.

ATLANTA, GEORGIA,

FRIDAY, July 1st, 1910.

The House met pursuant to adjournment at 10 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by Rev. J. J. Bennett, Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to-wit:

A resolution providing that when the General Assembly adjourns today it stands adjourned until Tuesday, July 5, 1910, at 10 o'clock a. m.

The following message was received from the Senate through Mr. Northen, Secretary thereof:



*Mr. Speaker:*

The Senate has passed, as amended, by a requisite Constitutional majority, the following bill of the House, to-wit:

A bill to fix the salaries of the judges of the Court of Appeals, and for other purposes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Senate bills, to-wit:

A bill to make it unlawful to engage in prize fighting in this State.

Also

A bill to regulate the grant of new trials.

Also

A bill to incorporate the town of Uvalda, in the county of Montgomery

By unanimous consent the following House bill was taken up for the purpose of agreeing to the Senate amendments, to-wit:

By Mr. McMahan, of Clarke—

A bill to put into force an amendment to the Constitution providing for the payment of pensions to the widows of ex-Confederate soldiers.

The Senate proposed the following amendments which were concurred in, to-wit:

To amend Section 1 at end of line 12, after word “State” and before word “of” in line 13, by adding the following words: “On 4th day of November, 1908, the total value of whose property” also

To amend Section 3, by striking words “of all the property of” in line 3, Section 3, also

To amend Section 5, by striking word “and” in line 17, and inserting in lieu thereof the words “of the” also

To amend Section 12 by substituting for the figures “1910” in line 4, the figures “1911,” also

To amend Section 4, by striking all words between words “evidence” and “of” in lines 4 and 6.

Mr. Fullbright, Chairman of Special Judiciary Committee, submitted the following report:

July 1st, 1910.

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills of the House and instruct me as their Chairman to report the same back with following recommendations:

House Bill No. 710—To amend an Act providing for an ordinary *pro hac* in certain cases. Do pass.

House Bill No. 712—To amend Code, Section 2776. Do pass as amended.

House Bill No. 715—To amend Code, Section 5182. Do pass.

House Bill No. 769—To amend Act establishing City Court of Waycross. Do pass.

House Bill No. 789—To authorize the sale of certain "Commons" of the City of Columbus. Do pass.

House Bill No. 830—To increase the number of terms of Superior Court of Whitfield county. Do pass.

House Bill No. 820—To amend Charter of City of Atlanta. Do pass as amended.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations have had under consideration certain bills of the House and instruct me as their Chairman to report the same back with the following recommendations:

House Bill No. 620—Do not pass.

House Bill No. 817—Do pass.

House Bill No. 732—Do pass.

House Bill No. 748—Do pass.

House Bill No. 746—Do pass.

House Bill No. 744—Do pass.

House Bill No. 745—Do pass.

House Bill No. 784—Do pass.

House Bill No. 718—Do pass.

House Bill No. 719—Do pass.

House Bill No. 776—Do pass.

BUTT, Chairman.

Mr. Jones, of Meriwether, Chairman of Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations has had under consideration the following bills of the House and instructed as their Chairman to report same back to the House with the recommendation that same do pass, to-wit:

A bill to appropriate \$15,000.00 to erect heating plant at University of Georgia.

A bill to establish Legislative Reference Bureau.

Also the following bill of the House with the recommendation that same do pass by substitute, to-wit:

A bill to appropriate \$2,500.00 for monument to Jos. E. Johnston.

Also the following bills of the House with the recommendation that same do pass as amended:

A bill to appropriate money for completion of State Sanitarium for treatment of tuberculosis.

A bill to appropriate \$15,000.00 for a building on campus of North Georgia Agricultural College.

Respectfully submitted,

W. R. JONES, Chairman.

Mr. Heard, of Dooly, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Banks and Banking having had under consideration House Bill 795, do pass; 788, do pass; 773, do pass as amended.

HEARD, Chairman.

On motion of Mr. Hall, of Bibb, the session this morning was extended for 30 minutes for the granting of unanimous consents.

The following resolution was read and referred to the Committee on Rules, to-wit:

By Mr. Adams, of Hall—

A resolution to make House Bill No. 722 a special order for July 8, 1910.

The following Senate resolution was read and concurred in, to-wit:

By Mr. Stevens, of 30th district—

A resolution providing that when the General Assembly adjourn today it stand adjourned until 10 o'clock Tuesday morning, July 5, 1910.

The following communication from the Daughters of the American Revolution was read:

The Daughters of the American Revolution extend to the members of the Legislature, a most cordial invitation to attend the Fourth of July exercises, which will be held at St. Philips Cathedral, corner Washington and Hunter Sts., on Monday at eleven o'clock, a. m.

Under the head of unfinished business the following bill was taken up for the purpose of agreeing or disagreeing to the unfavorable report of the Committee, to-wit:

By Messrs. Johnson, of Bartow, and Alexander, of DeKalb—

A bill to amend Article 7, Section 2, Paragraph 2, of the Constitution which relates to the power of the General Assembly to exempt certain property from taxation.

Mr. Tuggle, of Troup, called the previous question which call was sustained.

Mr. Johnson, of Bartow, moved to table the bill and on that motion Mr. Hall, of Bibb, called for the ayes and nays which call was sustained and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Adams               | Harvey              | McCurry             |
| Alexander of Fulton | Hatfield            | McCutchen           |
| Allen               | Henderson of Turner | McElreath           |
| Bake:               | Hendricks           | McMichael of Butts  |
| Barrett             | Hill                | McMichael of Marion |
| Brown of Fulton     | Hullender           | McWhorter           |
| Brown of Henry      | Huie                | Parker of Decatur   |
| Calbeck             | Johnson of Bartow   | Popa                |
| Chandler            | Joiner              | Pries               |
| Cordell             | Jones of Laurens    | Reaves              |
| Cowan               | Kelley              | Reid of Campbell    |
| Daniel              | Kendrick            | Rogers              |
| Davis               | Kennedy             | Sheppard            |
| Dickson             | Kirby               | Shirley             |
| Drawdy              | Lewis               | Smith of Gilmer     |
| Elder               | Littleton           | Smith of Tatnall    |
| English             | Lord                | Stovall             |
| Fairecloth          | Martin              | Tippins             |
| Field of DeKalb     | Meadows of Telfair  | Tracey              |
| Ford                | Meadows of Toombs   | Turner              |
| Graddick            | Miller of Ware      | Upshaw              |
| Griffin of Twiggs   | Milikin             | Walters             |
| Guyton              | Mos:                | Whiteley            |
| Hardeman of Jeffs'n | McConnell           | Wight of Grady      |
| Harrington          | McCrory             |                     |

## Those voting in the negative were Messrs.:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Alexander of DeKalb | Burch           | Gastley               |
| Anderson of Chatham | Cannon          | Godley                |
| Armistead           | Carswell        | Hall                  |
| Atherton            | Carter          | Hardman of Jackson    |
| Atkinson            | Childs          | Heard                 |
| Aul:                | Converse        | Helms                 |
| Barksdale           | Cureton         | Holder of Floyd       |
| Bell                | Edmondson       | Howell                |
| Booker              | Ellis           | Johnson of Jeff Davis |
| Boyd                | Evans           | Johnson of Towns      |
| Brown of Carroll    | Fields of Crisp | Kith                  |
| Brown of Murray     | Fullbright      | Kidd                  |



|                  |                  |                 |
|------------------|------------------|-----------------|
| Lovejoy          | Pickett          | Tarver          |
| Mitchell         | Pierce           | Tuggle          |
| Moore            | Porter           | Turnipseed      |
| MacFarland       | Reese            | Vinson          |
| MacIntyre        | Reid of Macon    | Wasden          |
| McArthur         | Roberts          | Watkins         |
| McMahan          | Simpson          | Wohlwender      |
| Parker of Talbot | Slade            | Wood            |
| Paulk            | Smith of Walton  | Woodliff        |
| Persong          | Stubbs of Putnam | Wright of Floyd |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Alley               | Fender              | Olive             |
| Anderson of Bullock | Garlington          | Peacock           |
| Bagley              | Gillis              | Proctor           |
| Bailey              | Griffin of Sumter   | Redding           |
| Beacham             | Henderson of Irwin  | Rentz             |
| Berry               | Holtzelaw           | Rosser            |
| Brinson of Decatur  | Hubbard             | Simmons           |
| Brinson of Emanuel  | Jones of Meriwether | Strong            |
| Butt                | Jones of Mitchell   | Stubbs of Thomas  |
| Buxton              | Kicklighter         | Waddell           |
| Cook                | Lawrence            | White of Screven  |
| Couch               | Middlebrooks        | William           |
| Culberson           | Miller of Calhoun   | Wright of Stewart |
| Edwards             | Minter              | Mr. Speaker       |
| Ellison             | McCarthy            |                   |

The roll call was verified and on counting the vote it was found that the ayes were 74; nays, 66. The motion to table was therefore carried.

By unanimous consent House Bill No. 7 was taken from the table and placed on the Calendar.

By unanimous consent the following bills were introduced and read the first time:

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A bill to amend an Act providing for the acceptance of the Soldiers' Home so that two years' residence in this State will entitle to admission therein.

Referred to Committee on Pensions.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A bill to amend the General Appropriation Act for 1910 and 1911, so as to provide for the quarterly payment of the appropriation made for support of Soldiers' Home.

Referred to Committee on Appropriations.

By Mr. McWhorter, of Greene—

A bill to amend an Act to more thoroughly carry into effect an Act to prevent the adulteration of foods, etc.

Referred to Committee on General Agriculture.

By Messrs. Smith, of Gilmer, and Brown, of Murray—

A resolution in relation to the case of the State of Georgia vs. Tennessee Copper Co.

Referred to Committee on General Judiciary

By Messrs. Slade and Wohlwender, of Muscogee—

A bill to vest in the City of Columbus title to certain land now used for streets.

Referred to Committee on General Judiciary.

By Mr. Hall, of Bibb—

A bill to provide for a method of assessing and collecting certain taxes.

Referred to Committee on Ways and Means.

By Mr. Hardman, of Jackson—

A bill to amend an Act to regulate the sale of narcotic drugs, etc.

Referred to Committee on Temperance.

By Mr. Lawrence, of Chatham—

A bill to amend an Act to authorize the Mayor and Council of Savannah to require the paving and drainage of streets.

Referred to Committee on Corporations.

By Mr. Lawrence, of Chatham—

A bill to amend Section 194, Volume 3, of the Code.

Referred to Committee on General Judiciary.

By Mr. Lawrence, of Chatham—

A bill to authorize the Mayor and Aldermen of Savannah to provide for registration of voters prior to election for bonds.

Referred to Committee on Corporations.

By Mr. Harrington, of Liberty—

A bill to authorize the Governor to designate an additional State depository in the town of Ludowici.

Referred to Committee on Banks and Banking.

By Mr. Harrington, of Liberty—

A bill to exempt minors from road duty.

Referred to Committee on Roads and Bridges.

By Mr. Upshaw, of Douglas—

A bill to amend an Act to provide for the future employment of convicts.

Referred to Committee on Penitentiary

By Mr. Daniell, of Cobb—

A bill to make it unlawful to bet on elections.

Referred to Committee on Special Judiciary.

By Mr. Armistead, of Oglethorpe—

A resolution to make appropriation for the erection of a monument to Wm. H. Crawford.

Referred to Committee on Appropriations.

By Mr. Pickett, of Terrell—

A bill to regulate the deposit required of Insurance Companies.

Referred to Committee on General Judiciary

By Mr. Wright, of Floyd—

A resolution to fix House Bill No. 122 the special order for Thursday, July 7

Referred to Committee on Rules.

On motion of Mr. Anderson, of Chatham, 200 copies of House Bill No. 74 were ordered printed for the use of the House.

The following bill which was the special order for this time was taken up and put upon its passage, to-wit:

By Messrs. Tippins, of Appling; Boyd, of Spalding; McIntyre, of Thomas; McMichael, of Marion—

A bill to regulate the running of automobiles on the public highways of this State, etc.

The Committee proposed a substitute which was read.

The previous question was called and the main question ordered.

The following amendments to the substitute were adopted, to-wit:

To amend the caption by inserting “or persons under 16 years of age.”

To amend Section 1, by striking figures “1909” and insert “1910.”

To amend Section 5, line 6, by adding after word “highways” the words “and railroad crossings.”

To amend Section 11, by adding after word “shall” and before the word “unreasonably” in line 3 the following: “Throw glass, nails, tacks, or other

obstruction upon the public highways used and traversed by automobiles or.”

To amend Section 9, line 2, by inserting after word “intoxicated” and before word “at the time” the words or under the age of sixteen years.

To amend Section 11, by striking all after word “State” in line 7 and insert the following: “Maliciously and without reasonable cause for so doing.”

To amend by striking Section 14 and inserting the following: “Section 14. Be it further enacted by the authority aforesaid that of the two dollars to be paid for the certificate a sufficient amount thereof shall be used in providing the certificate and the remainder thereof shall be paid into the State Treasury.”

To amend Section 13, by adding the following: “Provided, That a stay of thirty days in this State by any person herein described shall make such person liable to the fee as fixed in Section 2 of this Act.”

The report of the Committee which was favorable to the passage of the bill by substitute was agreed to as amended.

On the passage of the bill the ayes were 123, nays 4.

The bill having received the requisite constitutional majority was passed by substitute as amended.

By unanimous consent the following Senate Bills were read the first time, to-wit:

By Mr. King, of 14th District—

A bill to require State Librarian to furnish Acts of General Assembly and Reports of Supreme and Appellate Courts to new counties.

Referred to Committee on Library.

By Mr. Matthews, of 23rd District—

A bill to provide for exchange of State Documents between Georgia and other States.

Referred to Committee on Library

By Mr. Matthews, of 23rd District—

A bill to prohibit prize fighting.

Referred to Committee on General Judiciary.

By Mr. Longley, of 37th District—

A bill to define the rights of Orphans Homes, etc.

Referred to Committee on General Judiciary



By Mr. Slaton, of 35th District—

A bill to regulate the running of automobiles.

Referred to Committee on Roads and Bridges.

By Mr. Slaton, of 35th District—

A bill to regulate the grant of new trials.

Referred to Committee on General Judiciary.

By Mr. Calloway, of 29th District—

A bill to amend an Act to create the City Court of Washington.

Referred to Committee on Special Judiciary.

By Mr. Calhoun, of 15th District—

A bill to incorporate the town of Uvalda.

Referred to Committee on Corporations.

By Mr. Irwin, of 11th District—

A bill to require Ordinaries and County Commissioners to pay costs to officers.

Referred to Committee on Counties and County Matters.

By Mr. Burwell, of 20th District—

A bill to amend an Act prescribing the oath of office that members of the Railroad Commission have to subscribe to.

Referred to Committee on Railroads.

By Mr. Gordy, of 24th District—

A bill to make a wife or husband competent witnesses in cases of bigamy.

Referred to Committee on General Judiciary.

By Mr. Womble, of 25th District—

A bill to regulate and limit mortgage fi fas to seven years.

Referred to Committee on General Judiciary.

The following bills were read the first time, to-wit:

By Mr Hall, of Bibb —

A bill to provide for succession of the Governor of this State.

Referred to Committee on Constitutional Amendments.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A resolution to pay pension to A. V. Toole.

Referred to Committee on Pensions.

By Mr. Middlebrooks, of Newton—

A bill to prescribe the manner in which pistols  
may be carried.

Referred to Committee on General Judiciary

By Mr. Wright, of Floyd

A bill to prohibit the drinking of liquors on trains,  
street cars, etc.

Referred to Committee on Temperance.

By Mr. Davis, of Dougherty—

A resolution to appoint a joint committee to con-  
sider the advisability of erecting a building in which  
the state museum may be located, etc.

Adopted.

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A resolution to make House Bill 137 the special  
order for July 8.

Referred to Committee on Rules.

The following bills were read the second time :

By Mr. Turnipseed, of Clay—

A bill to create a Bond Commission for the city of  
Fort Gaines.

By Mr. Turnipseed, of Clay—

A bill to provide a system of registration for the  
city of Fort Gaines.

Referred to Committee on Special Judiciary.

By Mr. MacIntyre, of Thomas—

A bill to fix the fees to be paid by Fire and Storm  
Insurance Companies.

By Messrs. Tuggle, of Troup, Ault, of Polk and McCutchen, of Heard—

A bill to amend an Act to create a Prison Commission for the State of Georgia.

The above bill was recommitted to Penitentiary Committee.

By unanimous consent House Bill No. 222 was taken from the table and placed on the Calendar.

Mr. Anderson, Vice-Chairman of the Committee on Rules submitted the following report:

JULY 1ST, 1910.

*Mr. Speaker:*

Your Committee on Rules to which were referred various resolutions beg leave to report as follows:

(1) House Resolution No. 175. Fixing a Special Order for the Resolution of Congress proposing a 16th Amendment to the Constitution of the United States. Your Committee recommends that this resolution do pass as amended.

(2) House Resolution No. 180. Fixing a Special Order for House Bill No. 221, known as the Compulsory Education Bill. Your Committee recommends that this resolution do pass as amended.

(3) House Resolution No. 181. Fixing a Special Order for House Bill No. 74 to increase the Number of Senatorial Districts, etc. Your Committee recommends that this resolution do pass.

Respectfully submitted,

J. RANDOLPH ANDERSON,

Vice-Chairman Committee on Rules.

*Mr. Speaker:*

Your Committee on Rules have had under consideration House Resolution 196 and instruct me as their Chairman to recommend same do pass as amended.

Respectfully,

ANDERSON,

Vice-Chairman.

Mr. MacFarland, Vice-Chairman of Committee on Enrollment submitted the following report:

*Mr. Speaker:*

Your Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following Act, to-wit:

An Act to create a Board of Commissioners of Roads and Revenues for Clayton County and for other purposes.

Respectfully submitted,

MACFARLAND,

Vice-Chairman.

Mr. Ault, Chairman of the Committee on Roads and Bridges submitted the following report:

The Committee on Roads and Bridges beg leave to submit the following report:

The Committee having had House Bill No. 397 under consideration report same with the recommendation that it do pass by substitute.

E. S. AULT,

Chairman.

This July 1st, 1910.

The Speaker then announced the House adjourned until 10 o'clock next Tuesday morning.

## ATLANTA, GEORGIA,

TUESDAY, JULY 5, 1910.

The House met pursuant to adjournment at 10 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Fairecloth          |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bullock | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converso  | Goodley             |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Decatur  | Edwards   | Helms               |
| Brinson of Emanuel  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hill                |
| Brown of Murray     | Evans     | Holder of Floyd     |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCurry             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCutchen           | Smith of Tattall  |
| Johnson of Towns      | McElreath           | Smith of Walton   |
| Joiner                | McMahan             | Stovall           |
| Jones of Laurens      | McMichael of Butts  | Strong            |
| Jones of Meriwether   | McMichael of Marion | Stubbs of Putnam  |
| Jones of Mitchell     | McWhorter           | Stubbs of Thomas  |
| Keith                 | Oliver              | Tarver            |
| Kelley                | Parker of Decatur   | Tippins           |
| Kendrick              | Parker of Talbot    | Tracey            |
| Kennedy               | Paulk               | Tuggle            |
| Kiekligher            | Peacock             | Turner            |
| Kidd                  | Persona             | Turnipseed        |
| Kirby                 | Pickett             | Upshaw            |
| Lawrence              | Pierce              | Vinson            |
| Lewis                 | Pope                | Waddell           |
| Littleton             | Porter              | Walter            |
| Lord                  | Price               | Warden            |
| Lovejoy               | Proctor             | Watkins           |
| Martin                | Reaves              | White of Screven  |
| Meadows of Telfair    | Redding             | Whiteley          |
| Meadows of Toombs     | Reese               | Wight of Grady    |
| Middlebrooks          | Reid of Campbell    | Williams          |
| Miller of Calhoun     | Reid of Macon       | Wohlwender        |
| Miller of Ware        | Rentz               | Wood              |
| Milikin               | Roberts             | Woodliff          |
| Mitchell              | Rogers              | Wright of Floyd   |
| Moore                 | Rosser              | Wright of Stewart |
| Moss                  |                     | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of last Friday's proceedings was dispensed with.

Mr. Johnson, of Bartow, gave notice that at the proper time he would move to reconsider the action of the House in passing the Automobile Bill last Friday for the purpose of offering an amendment.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Reid, of Campbell—

A bill to amend the charter of the town of Fairburn.

Referred to Committee on Corporations.

By Messrs. Brown, Alexander and McElreath, of Fulton—

A bill to amend an Act to create a new charter for the city of Atlanta.

Referred to Committee on Corporations.

By Mr. Brown, of Carroll—

A bill for the protection of game in Carroll County.

Referred to Committee on Game and Fish.

By Mr. McElreath, of Fulton—

A bill to amend Section 1643, Volume 1, of the

Code, exempting Confederate soldiers from peddlers license

Referred to Committee on General Judiciary.

By Mr. McElreath, of Fulton—

A bill to make each Saturday in certain cities a legal holiday.

Referred to Committee on Labor and Labor Statistics.

By Mr. Allen, of Upson—

A bill to repeal an Act to incorporate the town of Atwater.

Referred to Committee on Corporations.

By Mr. Brown, of Carroll—

A bill to authorize the Trustees of the Fourth District Agricultural and Mechanical School to lease certain lands.

Referred to Committee on University of Georgia.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A bill to repeal an Act to provide for the election  
of County School Commissioners by the people.

Referred to Committee on Education.

By Messrs. Heard and Beacham, of Dooly—

A bill to amend the charter of the town of Unadilla.

Referred to Committee on Corporations.

By Mr. Alexander, of DeKalb—

A bill to dispense with recording on Superior  
Court execution dockets of executions issuing from  
other courts and for other purposes.

Referred to Committee on General Judiciary.

The following message was received from the  
Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite constitutional majority the following bills of the Senate, to-wit:

A bill to incorporate the town of Jasper, in the  
county of Pickens.

Also,

A bill to change the time of holding the Superior Court of Hart County.

The Senate has passed by a requisite constitutional majority the following resolution of the House, to-wit:

A resolution to repay W. C. Allen, Oil Inspector at Wrightsville \$10.80 erroneously paid by him to the State of Georgia.

Mr. Johnson, of Bartow, who had given previous notice, moved that the House reconsider its action in passing House Bill No. 7, known as the "Automobile Bill," for the purpose of offering an amendment.

Mr. Edwards, of Walton, called the previous question which was sustained and the main question ordered.

On the motion to reconsider the ayes were 19, nays, 74; the motion was therefore lost.

ATLANTA, GA., JULY 5, 1910.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Blackburn:

*Mr. Speaker:*

I am directed by His Excellency, the Governor, to deliver to the General Assembly a communication in writing.

STATE OF GEORGIA,  
EXECUTIVE DEPARTMENT,  
ATLANTA.

July 5, 1910.

*To the General Assembly:*

At the last session of your honorable bodies you passed a joint resolution (No. 31, Georgia Laws, 1909) authorizing and, under certain conditions, directing the Governor to purchase certain lands described in the resolution for use as terminal property, switch yards, etc., for the Western & Atlantic Railroad. These lands lie on the western side of the Western & Atlantic Railroad, beginning about three miles from the Union Depot in Chattanooga and ending about a half mile from Boyce Station. The resolution concluded with the following words:

*“Provided, however, that the Governor shall first examine and approve the matter and if, in his judgment, it is not to the best interest of the State, he may decline to make the purchase.”*

By probably a narrow construction this proviso might be held as covering only the last piece of property named in the resolution, but, inasmuch as the other two are too short for the designated use, by necessity the proviso was intended to apply to the entire purchase referred to. This was intensified by the fact that the indications were quite clear that there would be no money in the Treasury which was not covered by appropriations for other uses. Under these conditions, I felt that some examination must be made of the lands in question and of the State's

financial condition before I determined whether or not I would exercise the discretion imposed on me by your honorable bodies.

Had I been assured that the discretion with which I was clothed did not cover all the lands included in the proposition I would certainly have vetoed the resolution authorizing the purchase, inasmuch as there was not time enough from the date the resolution reached me until the end of the five days which followed your adjournment to enable me to have the lands examined. Not that I doubted your wisdom, but I could not conscientiously approve an extraordinary appropriation of this kind without first making careful investigation.

I had the examination of the lands and of the titles made after signing the Bill and before the options expired. The titles seemed to be all right, but to the lands I found radical objections for the purpose indicated. In the first place, they are in, what may be termed, a dip in the Western & Atlantic Railroad between Boyce Station and Chattanooga. In times of freshets the back water from the Tennessee River rises above the tracks. I was just below this point during the freshet in 1886 when, as an officer of the Western & Atlantic Railroad, I went with Supt. R. A. Anderson and Road Master M. H. Dooly to examine conditions existing during the high water. During that freshet the water covered the railroad tracks on all this property proposed to be purchased to a depth of from four to seven feet. This was shown by the drift in the trees adjoining the tracks after the flood subsided. Hence, if there had at that time been a railroad yard on this property the water would have

been into every car standing upon it, doing damage to all property in those cars and ruining it in many cases. As these freshets may occur within any winter or spring it would be hazardous to property if this land were purchased and used for switching yards and for storing cars.

But there is another serious objection to the lands in the proposed purchase. This consists in the fact that between the triangular portion, known as the Watkins property, and the broad rectangular portion, known as the Vinson property, other properties with houses upon them come down, leaving at the northeastern end of the Watkins property a width of about two hundred feet, whereas there should be a width of no less than four hundred feet, or, really, six hundred feet, for all the uses as a railroad yard. Therefore, if the State had made the proposed purchase of this property it would have been compelled to have a portion of the land which cuts into the northeastern edge of the Watkins property. The owners of these properties might have held up the State for a larger sum of money than it gave for the 87 acres for which I was authorized to negotiate.

Another objection lay in the fact that a public highway, which is the extension of Pennock Avenue, runs along the entire eastern side of the Watkins property and then close to the Western & Atlantic Railroad along the entire length of the Vinson and Lattimore tracts. The State of Georgia would have had no right to close a public highway in Tennessee, or, in fact, to divert it from its established location, and this location absolutely separated the Western & Atlantic Railroad from practically all of the Vinson and Lattimore tracts. It can be readily seen,



therefore, that the State of Georgia would have been taking all the risks in the question of closing or not closing, or removing the public highway in question.

Another radical objection to the lands in question consists in the fact that practically in their entirety they lie below the level of the track of the Western & Atlantic Railroad. On the Vinson property there is quite a watershed which drains the waters of rains through a culvert said to be twenty-three feet under the Western & Atlantic Railroad track. There is also another culvert nearer Chattanooga probably fifteen feet or more under the railroad track. At the current prices for making embankments or otherwise filling in dirt the cost of preparing this property for a railroad yard would amount to upwards of \$100,000. As the dirt could not be secured from the remainder of this property, which, as stated, is mostly below the level of the railroad track, the State would have to buy it from people and pay for hauling it to the property in question.

I have gone somewhat fully into detail in order to indicate to you several of the objections to the purchase of these properties, these objections being:

First. Liability to damage to all property in cars in times of overflow.

Secondly. The lack of necessary width at the junction of the Watkins property and the Vinson property, and the subsequent liability to pay an excessive price for the additional land needed.

Thirdly. The location through the Vinson and Lattimore properties of the public highway which is the extension of Pennock Avenue.

Fourthly. The excessive cost for filling in the property to make it available for use as a railroad yard.

There is another objection in the fact that the City of Chattanooga is quite likely at no distant time to annex the territory including the lands which your resolution (No. 31) proposed to purchase. This would impose city taxes upon these properties.

Besides the physical objections, etc., above described there was the question as to whether the Governor was authorized to make this purchase in view of the condition of the State's finances. This point I submitted to the Attorney-General under date of September 1st. To my letter he made response on September 2d. Copies of these two letters are herewith submitted. You will note that the Attorney-General closed his letter with the following words:

“In view of these conditions there is at present no money in the Treasury which can be legally used for the purchase of the land in question.”

There is another view which, as citizens of Georgia, and as servants of the people, the members of your honorable bodies and I must hold in mind. This is the fact that upon us is placed the responsibility of protecting the State's great property, known as the Western & Atlantic Railroad, in its power to properly perform the functions of a common carrier, and, co-ordinately, to make our people secure in the exercise of the competitive forces of commerce.

In the conduct of its affairs it is of superlative importance for a railroad to have the best and most advantageously located terminal properties in all the cities it reaches. It is a matter of common knowledge that the railroad systems within the past twenty years have been expending enormous sums of money in extending their lines to the business centers of the great cities of America. They have found that, in earning capacity, a mile thus acquired is worth more than twenty, or even fifty miles in the country. At present the Western & Atlantic Railroad penetrates the heart of Chattanooga. No railroad entering that city exceeds it in advantageous location of its terminal property. When we consider that Chattanooga is properly at the beginning of its growth, we are forced to the conclusion that the Western & Atlantic Railroad will in future years need every foot of land it now holds in that city for the proper conduct of its business.

Yet we have a proposition made to contract the area of its powers in the city of Chattanooga by allowing a large portion of its property to be alienated, or built up as warehouses, etc. If this proposition is a good one for the State of Georgia to adopt for its railroad in Chattanooga, it is equally as good for it to adopt in Atlanta, Dalton, Cartersville and other cities on its line, for property in Atlanta especially is worth more per front foot than is property in the Tennessee city named, and doubtless would command a larger rental.

While this proposition is being made for the Western & Atlantic Railroad in Chattanooga, and, by like reasoning, would apply to Atlanta, we find the Southern Railway, the Central of Georgia Railway and the Georgia Railroad spending many hundreds

of thousands of dollars extending and improving their terminal facilities in the city of Atlanta. The two first named railways have bought residence blocks and the like and torn down expensive houses for the purpose of extending their yards into the heart of Atlanta. Thirty years ago the lines which now compose the Southern Railway had their depots in the outskirts of Atlanta, and the Western & Atlantic Railroad commanded the business of this city by reason of the fact that its tracks lay in the heart of the city. At present after the expenditure of vast sums of money, the Southern Railway is practically as near to the heart of Atlanta as is the Western & Atlantic Railroad and competes with it even handed. If, now, we are going to dismantle the Western & Atlantic Railroad in Chattanooga why should we not also dismantle it in Atlanta? If we take steps to abdicate the advantage,—I might almost say the supremacy,—we have in location in Chattanooga, why should we not do so in Atlanta? If we are going to impair our ability to compete with rival roads in Chattanooga and go into the warehouse renting business in that city, why should we not do the same thing in Atlanta, and open streets and build houses in our Georgia city, as well as in the city we reach in our sister State. In other words, if we are going to change the Western & Atlantic Railroad from being strictly a common carrier, and make it partly common carrier and partly renting agency, let us do it at all points instead of only in Chattanooga.

I feel quite sure that your honorable bodies, in passing the resolution in question did not really hold in mind the fact that in the preservation of the terminal properties in Chattanooga lies a great proportion of the power of the Western & Atlantic

Railroad to perform the functions of a common carrier,—the fundamental principle to which we must adhere in our handling of it.

I have for many years been impressed by the transcendant importance of holding this great railroad property intact for uses as a common carrier, in view of the fact that Chattanooga will in course of time, and I now think within only a few years, become the key point for the fixing of rates affecting the entire State of Georgia in its interstate commerce relationships. This is by reason of the fact that, when the obstructions to navigation are removed, boats can run from Pittsburg, St. Louis, New Orleans, and other Mississippi Valley points to Chattanooga.

I have always held to the view that the State should never consider the question of selling the Western & Atlantic Railroad. Furthermore, in my opinion, no lease contract should ever be made for a longer period than thirty years, for the State ought to take back the road at least one time in the life of each generation and adjust it to the then prevailing conditions of commerce and the like.

While the lands which your resolution (No. 31) contemplated purchasing are in my opinion, not suited for the purpose in question, and, while I seriously doubt the advisability of the State's taking any step indicating an intention of abandoning any of its available property in Chattanooga, yet should you still deem it for the best interest of the State to purchase additional lands for railroad terminals at Chattanooga, such as building or repair shops, etc., I have secured a proposition for the sale to the State of 234½ acres of land through which the

Western & Atlantic Railroad runs, beginning about three-quarters of a mile eastward of Boyce Station. The price placed upon these  $234\frac{1}{2}$  acres of land is \$58,500, whereas the price charged for the 87 acres described in your resolution is \$69,000. The larger tract, for which I herewith enclose the proposition of Hon. H. Clay Evans, dated May 17, 1910, is designated as the Evans tract in the enclosed report of Mr. H. M. Smith, Civil Engineer, whom I had to inspect this tract. His report is herewith enclosed, and the blue prints on file in the Executive Office describe and otherwise give a clear idea of the relative situation of this property. You will note in brief that it is composed of flat lands along the Chickamauga Creek, which gently rise toward the south in the direction of Missionary Ridge. There is an abundance of dirt for filling, and the hauls of this dirt for filling are very short. Chickamauga Creek, flowing through the Northern portion of the tract, gives the greatest abundance of water for all purposes needed for shops and the like, and near the eastern edge is a large spring of fine water which is said to flow 2,000,000 gallons daily. If access to the Tennessee River be needed the distance is only about a mile and a half down the level valley of Chickamauga Creek. The proposition for the tract is available for your acceptance until August 1st of this year.

The location of this property, upwards of a mile further from Chattanooga than the properties covered by your resolution (No. 31), is in no way a disability, even if used as a freight yard, inasmuch as fully eighty per cent. of the business the Western & Atlantic Railroad handles in its Chattanooga yards moves southward.

I would be greatly pleased if your honorable bodies would send a joint committee to examine the Evans tract and the properties described in your resolution (No. 31), and I shall be glad to have Mr. H. M. Smith to attend and make clear to you all the facts connected with the Evans tract.

I trust that it is needless for me to add further that no man more than I is in accord with the proposition to protect the Western & Atlantic Railroad in all of its legitimate powers as a common carrier, and to protect it in such manner as to perpetually enable it to secure for the people of this State the dominant exercise of competitive forces. I must repeat my statement that I believe the State should never entertain the proposition to sell this great property. I know that some of the residents in the counties through which the Western & Atlantic Railroad runs believe that it would be beneficial to them to sell the road, thereby giving them the power to tax it as they do other roads traversing their counties; but I feel sure that the protection of the power to have competition is of more far reaching benefit to them as well as to the people in the other counties of this State than could be the amount of the yearly taxes they would receive from the owners of the road if the State should sell it.

Respectfully submitted,

JOSEPH M. BROWN,

Governor.

*Copy*

September 1st, 1909.

HON. JOHN C. HART, *Attorney-General*,

State Capitol.

DEAR SIR: The Legislature at its last session by resolution directed me as Governor upon the conditions therein named to pay \$69,000 out of the Treasury for the purchase of some vacant land near Chattanooga in the State of Tennessee "for increasing the facilities of the Western & Atlantic Railroad." The purpose of the purchase is to use this land as a switch yard should the State desire to do so at the termination of its present lease, ten years hence. I am anxious to comply with the instructions of the Legislature if there are any funds in the Treasury available for that purpose. My information is that there is at present in the Treasury the sum of approximately \$160,000.

The Legislature of 1907-8 appropriated \$2,250,000 for the common schools of this State for the year 1909. The State is short nearly \$2,000,000 in meeting this appropriation. Under this statement of fact would I be authorized to draw my warrant and would the Treasurer have authority to pay this \$69,000 for the purchase of this vacant land which we may possibly need for railroad purposes ten years hence?

Yours very truly,

(Signed) JOSEPH M. BROWN,

Governor.



*Copy*

Sept. 2d, 1909.

*Governor* JOS. M. BROWN,

State Capitol, Atlanta, Ga.

DEAR SIR: I beg to acknowledge your letter of the 1st inst. in which you ask if the money now in the Treasury of the State of Georgia is available, under the resolution of the General Assembly recently adjourned, for the purchase of land lying outside of the city of Chattanooga, Tennessee, to be used as a switch yard in the future operation of the Western & Atlantic Railroad. You state in your letter there is at present in the Treasury approximately One Hundred and Sixty Thousand Dollars in meeting the appropriation made by the Legislature of 1907-8, for the support and maintenance of the common schools of the State for the year 1909.

The legal question involved is: May the Legislature of 1909 divert money which had been appropriated by the Legislature of 1908 and on the faith of the appropriation the school teachers of the State entered into contracts with the boards of education of the counties of the State and actually performed the service of teaching the children of the State? The money now remaining in the Treasury was raised by a special tax levy for the support of the common schools of the State. See Acts of the General Assembly of Georgia 1907, p. 25. The teachers of the State have performed the service upon the faith of that promise that it would be paid them for their services. The teachers have executed their part of this contract and the State now owes them the money which it had pledged would be paid them.

For a subsequent Legislature to divert the money and apply it to a different purpose from that for which it was raised by taxation and pledged by the State, amounts substantially to the impairment of a contract, which is forbidden both by the Constitution of this State and of the United States.

In view of these conditions there is at present no money in the Treasury which could legally be used for the purchase of the land in question.

I beg to remain,

Yours very truly,

JOHN C. HART,

Attorney-General.

*Copy*

CHATTANOOGA, TENN., May 17, 1910.

*To His Excellency,*

JOSEPH M. BROWN,

*Governor of Georgia.*

SIR: I have the honor to hand you herewith a Blue-print of lands I own at Boyce Junction—the red lines conspicuously indicate the outside boundaries—and figures showing measurements. I have had the same carefully surveyed and within this boundary there are 234.45 acres.

You have here an abundance of high land to draw from to make any grade you see fit. You have an

abundant supply of the very best water. There is sufficient lands for switch, transfer and storage yards, room for shops and on the higher grounds room for employees' quarters. There is no danger of any effort being made for additional roads, and the Harrison road crosses at right angles with no obstruction either way. You will note an angle of 9.66 A. (one angle being the starting point). I reserved this for the reason that parties are planning to build a road crossing over and above grade of your railway. This would take a very large per cent. of the travel that now goes over the Harrison road, although at most the travel there is light.

Another great advantage in this location for switch, transfer and storage yards, it is outside of the municipality. Within the very near future Sherman Heights, or East Chattanooga, as it is now called, up to Boyce Station will be taken into the municipality of Chattanooga.

Your railway runs through my property for considerable over a mile. The Cincinnati Southern have rights to some extents within the "Y," and they were donated a right of way to the Harrison road, but it has never been used. They did, before I purchased (1886), lay a switch or track from that road to yours, but for some reason abandoned it and removed the track many years since.

Realizing that you are familiar with this property, I think I need say nothing further as to its adaptability for the purpose, and susceptible of improvement at a very moderate expense

My title is good, free and unencumbered. I will sell you this property, two hundred and thirty acres,

more or less, for the sum of Fifty-Eight Thousand and Five Hundred Dollars (\$58,500.00)—reserving or protecting my tenant for his crop now growing for the crop season.

I submit this for your consideration, and if there be any points that you do not understand, and you will so advise me, I will come down at any time you may suggest.

Very respectfully,  
(Signed) H. CLAY EVANS,  
Trustee.

*Copy*

Description of a certain tract of land situated in Hamilton County, Tennessee, the property of H. Clay Evans, Trustee.

Beginning at a point in the half section line between the Northeast and Northwest quarters of Section one, Fractional Township two South, and Range four West, of the Basis line of the Oconee District, which point may be located as follows,

Beginning at a stone monument, set for the center of said Section one. Said stone monument is in the lane between the properties of Alexander and said Evans, and about 250 feet North 66° 45" West from the center of the Western and Atlantic Railroad, is about 390 feet from the North end of the said railroad North 22° 47" East 1,450 feet.

This is the point of beginning.

From said point of beginning run North 22° 47" East 1,120 feet, to a point in the Township line be-

tween said Fractional Township two South, and Fractional Township one South;

Thence with the Township line between said two Townships North 66 and 43" West, passing the Northwest corner of the Northwest quarter of said Section one at 2,615 feet, the Northwest corner of the Northeast quarter of Section two at 5,245 feet; in all 5,970 feet to a stone in said Township line 100 feet, Southeast of the center of the Cincinnati Southern Railway Company Track;

Thence South 23 48" West 830 feet to a post in said right of way line, crossing the North Bank of Chickamauga Creek at about 150 feet, and the South bank of the same at about 320 feet;

Thence continuing with the said right of way line, of the Cincinnati Southern Railroad, South 25 West about 120 feet to a point in said line, where the 6° curve indicated upon the map, a part of this description, will intersect the said right of way line;

Thence with the line of the 6° curve indicated upon the map 1,645 feet to the point in the property line of the Cincinnati Southern Railroad indicated on the map as "Station 3,330 06 P. C. 6° R."

Thence a line at right angles to the Western and Atlantic Railroad, crossing the same, a distance of 166 feet to the point in the South line of the right of way of the Western and Atlantic Railroad;

Thence with said right of way line, South 78 and 31" West 1,878 feet to a stone in said right of way line near a Culvert and on the bank of a steep hollow;

Thence South  $39^{\circ}$  and  $1''$  East 80 feet to the half section line, between the Northwest and Southwest quarters of said Section two;

Thence South  $65^{\circ}$  and  $23''$  East 785 feet to a stone, the center of said Section two;

Thence with the half section line between the Northeast and Northwest quarter of Section two, North  $23^{\circ} 18''$  East 360 feet;

Thence South  $65^{\circ}$  and  $23''$  East 1,325 feet;

Thence North  $23^{\circ}$  and  $6''$  East 400 feet;

Thence South  $66^{\circ}$  and  $45''$  East 2,723 feet;

Thence North  $83^{\circ}$  and  $39''$  East 1,396.6 to the beginning, containing 234.45 acres.

Being part of N. W.  $\frac{1}{4}$  Section 1 and part of N. E. & N. W.  $\frac{1}{4}$  Section 2. Fr. Tp. a. S. R. 4 W. of the Basis Line of the Oconee Dist.

CHATTANOOGA, TENN., May 24, 1910.

*To His Excellency,*

JOSEPH M. BROWN,

*Governor of Georgia,*

Atlanta, Georgia.

GOVERNOR: I have the honor to acknowledge receipt of your letter of 20th inst., and in accordance with your request, I will make the proposition for

switch yards at Boyce, submitted to you on the 17th inst., good until August 1st, next.

Very respectfully,

Your obedient servant,

H. CLAY EVANS,

Trustee.

*Copy*

May 20th, 1910.

HON. H. CLAY EVANS,

Chattanooga, Tenn.

MY DEAR SIR: I have your favor of the 17th inst., which is quite satisfactory.

I assume that the offer you make with all conditions will be good until the matter can be handled. In other words until, say, about the first of August. Will you kindly advise me if you will let the proposition stand for consideration and acceptance if so desired until August 1st?

Very truly yours,

JOSEPH M. BROWN,

Governor of Georgia.

*Copy.*

May 27, 1910.

HON. H. CLAY EVANS,

Chattanooga, Tenn.

MY DEAR SIR: I have your favor of May 24th, in which you are kind enough to make the proposition

submitted to me on the 17th inst., good until August 1st, 1910.

With high regard,

Very truly yours,

JOSEPH M. BROWN,

Governor.

ROME, GEORGIA, June 22, 1910.

*His Excellency,*

JOSEPH M. BROWN, Governor,

Atlanta, Georgia.

DEAR SIR: I have the honor to report that I have carefully examined the Evans tract of land lying on and along the Western & Atlantic Railroad, beginning at a point 4,500 feet East or South of the Depot at Boyce's Station, and extending along said W. & A. Railroad, and on both sides thereof, for a distance of one and one quarter miles. Said tract contains 234½ acres, according to the Survey.

I hand you herewith a blue print, showing the shape and location of the tract -which is plainly indicated by red lines.

You will note that Chickamauga Creek lies within the tract, and extends along the entire Northern Border. This Creek is about 100 feet wide, and empties into the Tennessee River about 1½ miles from the Cincinnati Southern Railway bridge. Flood water from the Creek itself has but little effect on the property. It is the back water from the Tennes-



see River that overflows the lowest parts of the tract.

But the W. & A. tract is never reached, not even by the highest floods.

In general terms, the ground slopes gradually from the Harrison turnpike, which lays along the slope of Missionary Ridge, toward and to Chickamauga Creek.

That part of the tract lying between the W. & A. road and the Creek is mostly rather low—so that the work of making a yard on this side would be more expensive than is justified by present conditions.

But the other part, lying west or south of the W. & A. tract and toward the Harrison pike, is amply high—somewhat rolling, and will require, of course, some cutting and filling—but not an unreasonable amount, at all.

There is no evidences of rock, and as far as can be told, the material to be excavated will be earth only—at a cost of say 20 cents per cubic yard. All the earth needed is immediately at hand, so that none will have to be hauled in.

As before stated, the tract is one and a quarter miles, or 6,600 feet, in length. The only street or road that crosses it is the Harrison pike, which crosses the railroad at grade, about four tenths of a mile from the Southern or Eastern end of the property. If the necessity should arise, an overhead crossing can be made here at comparatively small expense, the yard tracks of course passing under the

viaduct, which can be constructed of wood or such other material and in such way as will best fit the case. It is quite unlikely that any other road will ever cross the yard, unless it be an overhead crossing at the extreme South or East end of the tract.

But such necessity would appear to be far in the future, as there seem to be sufficient ground between the Western end of the track and the pike crossing, to answer for a long time to come.

To show the comparative area of the property, please note on the blue print a strip, marked with yellow pencil, 250 feet wide and 4,000 feet long, (about 23 acres) extending from near the Western end of the property to the Harrison pike. This strip alone will accomodate approximately 1,800 cars. Much of the other ground is also available, for tracks, shops, coal bins, and sundry uses, and there appears to be all the room needed for an indefinite time.

Those parts of the tract that lie nearest the ridge are well adapted for houses for the employees, and there is abundant room for a large number of men, and their families.

The water supply can be obtained from wells; or from a large spring shown on map, about one-third of a mile from the property. This spring is said to flow two million gallons daily.

For locomotive purposes, Chickamauga Creek will furnish all that can possibly be needed, if the spring supply be not sufficient.

The property is well outside of the Chattanooga city limits, and is likely to remain so. Yet it is only about five miles from the center of the city. Boyce

Station is within the four mile limit, and, as already stated, the property begins less than a mile from Boyce.

That part of the tract not needed for railroad purposes is available for rent for farming or other uses, that will produce fair revenue.

You will note that the Western end of the tract lies along the Cincinnati Southern Railroad—affording easy connection with that road.

I hand you also a map of the city of Chattanooga and vicinity—showing Boyce Station, and the approximate location of the tract, in red. This gives a clear idea of the relative situation of the property.

I beg to say that in my judgment this tract is by far the best that has been offered, and is well adapted to the uses intended. In fact, I do not know of any other tract that is nearly so desirable, and in my opinion the State will make no mistake in acquiring this property.

I am, Very respectfully,

(Signed) H. M. SMITH,

(Chief Engineer R. & N. R. R.)

*Copy.*

June 29th, 1910.

*To His Excellency,*

JOSEPH M. BROWN,

*Governor of Georgia,*

Atlanta, Ga.

SIR: Permit me to submit the following points in connection with the site offered by me for a switch and storage yard at Boyce on your line of Railway.

For a water supply for Locomotives and all general purposes the Chickamauga Creek affords an abundant supply. Your Mr. Smith raised the question as to a convenient supply for household purposes for employees. The manager of the City Water Company informs me that pipes extend to Arondale, Davis Hosiery Mills, Sherman Heights, Boyce Station and to the Chattanooga Implements Works; the latter are located about 600 yards from Boyce Station and on West side of Cincinnati Southern Railway about opposite the "Y" on the blue print. So you see water for domestic purposes is within easy reach.

In going over the property recently with Mr. H. M. Smith, Civil Engineer, he agreed with me that the natural boundaries were most advantageous, viz: that the Cincinnati Southern Railway with its deep borrow pits on each side prevented absolutely any approach from that western side, that Chickamauga Creek on the North edge formed a complete protection or barrier there and that the North end of Missionary Ridge protects the yards from that direction, and that you will have abundant yard room from the West to the present county road crossing for many years to come. You would also have a large territory for employees' houses, etc. And the grounds between the Railway (now) and Chickamauga Creek, until wanted for further purposes could be used for employees' truck gardens.

That you may remember and to explain the triangle of 9<sup>66</sup> acres cut off the Eastern corner, (as shown by the blue print) there is a plan being worked for a new road to go out across there (overhead) or above your road that would take a large per cent. of what travel there is now using the present Harrison road. (I cut this off so as to encourage that road).

I am quite sure there is no rock to contend with in grading. In fact, I am told there is nothing there that could not be readily handled with a steam shovel.

The county is now building a roadway down across the field from Sherman Heights toward your road, where it crosses under the Southern Railway beyond Citico from here, and this side of Boyce Station. That territory will in the near future be invaded by roadways and also come within the city limits.

When Mr. Smith and I went over the property, having walked its full length, and after getting to Boyce Station we saw a section gang working on the track, so Mr. Smith proposed we walk to where they were, some distance this side of Boyce Station, as he said the foreman was often a man of practical ideas.

Mr. Smith asked the foreman about high water points, etc. The foreman told him highest of waters were over the track between there and the overhead crossing of the Southern Railway and like you had discovered no nearby dirt to fill. The foreman finally suggested to Mr. Smith that the *fine* place for extensive switch and storage yards was just around the curve, and that the cut would make the fills (just the property I am offering) neither of which would be heavy. Mr. Smith asked him if he knew who owned it, he said he did not, but that he thought a man by the name of Montague.

I told Mr. Smith it was his witness and evidently an impartial one.

Very respectfully,

Your obedient servant,

(Signed) H. CLAY EVANS.

Trustee.

The following resolution was read, to-wit:

By Messrs. Tuggle and Lovejoy, of Troup—

A resolution to authorize the appointment of an additional doorkeeper for the gallery

The resolution was lost.

By unanimous consent House Bill No. 404 was taken from the table and placed on the Calendar.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instructed me, as their Chairman, to report same back to the House, with the recommendation that same do pass, to-wit:

A bill to define the rights and power of an Attorney-at-Law.

A bill to amend Section 574, Volume 1, Code 1895, relative to age of road duty.

Also the following bills of the House, with the recommendation that same do pass as amended, to-wit:

A bill to regulate practice in possessory warrant proceedings.

A bill to further regulate practice before appointed to hear causes in pursuance of existing laws.

A bill to prohibit betting on any election or primary.

Also the following bill of the House with the recommendation that same do pass by substitute, to-wit:

A bill to protect persons purchasing certain classes of property

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to amend Section 4813, Code 1895, relative to rent contracts.

A bill to amend Section 4815, Code 1895, relative to rent contracts.

Respectfully submitted,

J. H. HALL,

Chairman.

Mr MacIntyre, Chairman Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters having considered the following bills, recommend that House Bill 805 be referred to Special Judiciary Committee.

That House Bills Nos. 733, 743, 808 and 813, all local bills, do pass.

MACINTYRE,

Chairman.

Upon recommendation of the Committee on Counties and County Matters House Bill No. 805 was taken from that Committee and referred to the Special Judiciary Committee.

On motion of Mr. Tuggle, of Troup, the morning's session was extended for five minutes for the purpose of reading bills a first time.

On motion of Mr. Alexander, of DeKalb, the Governor's Message, received this morning was taken up and read.

The following resolution was read, to-wit:

By Mr. Alexander, of DeKalb—

A resolution providing that the Governor's Message be referred to the Western & Atlantic Commit-



tee with instructions to report to the House all facts connected therewith, etc.

The resolution was referred to the Western & Atlantic Railroad on motion of Mr. Alexander.

The following resolutions were read, to-wit:

By Mr. McMahan, of Clarke—

A resolution to make House Bill No. 69 the special order for Friday, July 8.

Referred to Committee on Rules.

By Mr. Baker, of Lumpkin—

A resolution to make House Bill No. 829 the special order for Friday, July 8.

Referred to Committee on Rules.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the following resolution of the House, to-wit:

A resolution providing for the payment of the per diem and expenses of Standing and Special Commit-

tees which were authorized at the 1909 session of the General Assembly, to set during the recess.

The following bills were read the third time and put upon their passage, to-wit:

By Messrs. Cureton, of Dade, Hullender, of Catoosa, Tarver, of Whitfield—

A bill to amend Section 3828 of the Code of 1895, relative to recovery of wife and minor children in case of homicide of husband and parent.

The report of the Committee which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 2.

The bill having received the requisite constitutional majority, was passed.

By Mr. Brown, of Fulton—

A bill to regulate the practice of barbers and barber shops in this State, and for other purposes.

The following amendment was adopted, to-wit:

By Mr. Turnipseed, of Clay—

To amend by striking “1000” where the same occurs and insert “5000.”

Mr Hall, of Bibb, moved that the bill be indefinitely postponed, which was lost.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 54, nays 57.

The bill having failed to receive the requisite constitutional majority, was lost.

By unanimous consent the session was extended for fifteen minutes, or so much thereof as necessary, for the purpose of reading bills a first time.

By unanimous consent the session was further extended until House Bill 830 could be read a second time.

The following Senate Bill was taken up and put upon its passage, to wit:

By Mr. Gordy, of 24th District.

A bill to amend an Act to amend the charter of the city of Columbus.

Mr. Slade, of Muscogee, moved that the bill be re-committed to the Special Judiciary Committee, which motion prevailed.

Mr. Wholwender moved that the House reconsider its action in re-committing the bill and on that motion called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                  |
|---------------------|---------------------|------------------|
| Alexander of Fulton | Harvey              | Parker of Talbot |
| Alley               | Heard               | Pickett          |
| Anderson of Chatham | Henderson of Irwin  | Porter           |
| Armistead           | Henderson of Turner | Pries            |
| Atkinson            | Hill                | Redding          |
| Ault                | Howell              | Reese            |
| Barksdale           | Hubbard             | Reid of Campbell |
| Baker               | Hullender           | Rentz            |
| Beacham             | Johnson of Towns    | Roberts          |
| Bell                | Joiner              | Rogers           |
| Brown of Carroll    | Jones of Laurens    | Sheppard         |
| Brown of Fulton     | Jones of Meriwether | Shirley          |
| Brown of Murray     | Kendrick            | Simmons          |
| Burch               | Kicklighter         | Smith of Gilmer  |
| Butt                | Kirby               | Tarver           |
| Cannon              | Lawrence            | Tippins          |
| Couch               | Lovejoy             | Tracey           |
| Daniel              | Miller of Ware      | Tuggle           |
| Drawdy              | Most                | Upshaw           |
| Elder               | MacIntyre           | Waddell          |
| English             | McArthur            | Whiteley         |
| Faireloth           | McCrory             | Wholwender       |
| Field of DeKalb     | McElreath           | Woodliff         |
| Ford                | McMichael of Butts  |                  |
| Hardeman of Jeffs'n | McMichael of Marion |                  |

Those voting in the negative were Messrs.:

|                     |                    |            |
|---------------------|--------------------|------------|
| Alexander of DeKalb | Booker             | Fullbright |
| Allen               | Brinson of Decatur | Gastley    |
| Atherton            | Brown of Henry     | Goodley    |
| Barrett             | Carter             | Graddick   |
| Berry               | Childs             | Guyton     |

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| Fall              | Moore             | Proctor           |
| Fatfield          | McCarthy          | Slade             |
| Helms             | McConnell         | Smith of Tattnall |
| Huie              | McMahan           | Stovall           |
| Johnson of Bartow | McWhorter         | Walters           |
| Kidd              | Olive:            | Wasden            |
| Littleton         | Parker of Decatur | Watkins           |
| Martin            | Paulk             |                   |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Adams               | Garlington            | McCutchen         |
| Anderson of Bullock | Gillis                | Peacock           |
| Bagley              | Griffin of Sumter     | Persons           |
| Bailey              | Griffin of Twiggs     | Pierce            |
| Boyd                | Hardman of Jackson    | Poppe             |
| Brierson of Emanuel | Harrington            | Reaves            |
| Buxton              | Hendricks             | Reid of Macon     |
| Calbeck             | Holder of Floyd       | Rosser            |
| Carswell            | Holtzelaw             | Simpson           |
| Chandler            | Johnson of Jeff Davis | Smith of Walton   |
| Converso            | Jones of Mitchell     | Strong            |
| Cooke               | Keith                 | Stubbs of Putnam  |
| Cordell             | Kelley                | Stubbs of Thomas  |
| Cowan               | Kennedy               | Turner            |
| Culberson           | Lewis                 | Turnipseed        |
| Cureton             | Lord                  | Vinson            |
| Davis               | Meadows of Telfair    | White of Screven  |
| Dickson             | Meadows of Toombs     | Wight of Grady    |
| Edmondson           | Middlebrooks          | Williams          |
| Edwards             | Miller of Calhoun     | Wood              |
| Ellis               | Milikin               | Wright of Floyd   |
| Ellison             | Mintz                 | Wright of Stewart |
| Evans               | Mitchell              | Mr. Speaker       |
| Fender              | MaeFarland            |                   |
| Fields of Crisp     | McCurry               |                   |

By unanimous consent the verification of the roll call was dispensed with and on counting the votes it was found that the ayes were 73, nays 38, the motion

therefore prevailed, and on motion of Mr. Wholwender the bill was then tabled.

The following resolution was read, to-wit:

By Mr. Wholwender, of Muscogee—

A resolution to make Senate Bill No. 119 the special continuing order for July 6 at 12 o'clock, m.

Referred to Committee on Rules.

On motion House Bills Nos. 63 and 66 and House Resolution No. 69 were tabled.

Mr. Hall, of Bibb, moved that when the House adjourn it meet again at 9 o'clock to-morrow morning which motion prevailed.

On motion of Mr. Anderson, of Chatham, the House adjourned and the business for which the session was extended was taken up.

The following bills were read the first time, to-wit:

By Mr. Alley, of White—

A bill to provide who shall be qualified to vote in stock law elections in certain counties.

Referred to Committee on Counties and County Matters.

By Mr. Alexander, of DeKalb—

A resolution directing the Governor to buy certain lands in Tennessee.

Referred to Committee on Western & Atlantic Railroad.

By Mr. Godley, of Camden—

A bill to authorize the issuance of licenses to persons in Camden County conducting church festivals.

Referred to Committee on Special Judiciary.

By Mr. Godley, of Camden—

A bill to appropriate \$250 for arc lights on the Capitol grounds.

Referred to Committee on Appropriations.

By Mr. Godley, of Camden—

A resolution memorializing Congress to vote for Constitutional amendment to elect United States Senators by the people.

Lie on table one day

The following resolutions were read, to-wit:

By Mr. Wright, of Floyd—

A resolution to make House Bill 259 the special order for July 11, 1910.

Referred to Committee on Rules.

By Mr. MacIntyre, of Thomas—

A resolution to make House Bill No. 731 the special order for Friday, July 8.

Referred to Committee on Rules.

The following bill was read the second time, to-wit:

By Mr. Tarver, of Whitfield—

A bill to increase the number of terms of the Superior Court of Whitfield County.

Leave of absence was granted—

MR. WRIGHT, of Stewart,

MR. WRIGHT, of Floyd.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.



ATLANTA, GEORGIA,

WEDNESDAY, JULY 6, 1910.

The House met pursuant to adjournment at 9 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                       |
|---------------------|-----------|-----------------------|
| Adams               | Burch     | Faireloth             |
| Alexander of DeKalb | Butt      | Fender                |
| Alexander of Fulton | Buxton    | Field of DeKalb       |
| Allen               | Calbeck   | Fields of Crisp       |
| Alley               | Cannon    | Ferd                  |
| Anderson of Bullock | Carswell  | Fullbright            |
| Anderson of Chatham | Carter    | Garlington            |
| Armistead           | Chandler  | Gastley               |
| Atherton            | Childs    | Gillis                |
| Atkinson            | Converso  | Goodley               |
| Ault                | Cooke     | Graddick              |
| Barksdale           | Cordell   | Griffin of Sumter     |
| Bagley              | Couch     | Griffin of Twiggs     |
| Bailey              | Cowan     | Gayton                |
| Baker               | Culberson | Hall                  |
| Barrett             | Cureton   | Hardeman of Jefferson |
| Beacham             | Daniel    | Hardman of Jackson    |
| Bell                | Davis     | Harrington            |
| Berry               | Dickson   | Harvey                |
| Booker              | Drawdy    | Hatfield              |
| Boyd                | Edmondson | Heard                 |
| Brinson of Decatur  | Edwards   | Helms                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin    |
| Brown of Carroll    | Ellis     | Henderson of Turner   |
| Brown of Fulton     | Ellison   | Hendricks             |
| Brown of Henry      | English   | Hill                  |
| Brown of Murray     | Evans     | Holder of Floyd       |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacIntyre           | Simmons           |
| Howell                | McArthur            | Simpson           |
| Hubbard               | McCarthy            | Slade             |
| Hullender             | McConnell           | Smith of Gilmer   |
| Huie                  | McCrory             | Smith of Tattnall |
| Johnson of Bartow     | McCurry             | Smith of Walton   |
| Johnson of Jeff Davis | McCutchen           | Stovall           |
| Johnson of Towns      | McElreath           | Strong            |
| Joiner                | McMahan             | Stubbs of Putnam  |
| Jones of Laurens      | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Meriwether   | McMichael of Marion | Tarver            |
| Jones of Mitchell     | McWhorter           | Tippins           |
| Keith                 | Olive               | Tracey            |
| Kelley                | Parker of Decatur   | Tuggle            |
| Kendrick              | Parker of Talbot    | Turner            |
| Kennedy               | Paulk               | Turnipseed        |
| Kicklighter           | Peacock             | Upshaw            |
| Kidd                  | Persons             | Vinson            |
| Kirby                 | Pickett             | Waddell           |
| Lawrence              | Pierce              | Walters           |
| Lewis                 | Popo                | Warden            |
| Littleton             | Porter              | Watkins           |
| Lord                  | Price               | White of Screven  |
| Lovejoy               | Proctor             | Whiteley          |
| Martin                | Reaves              | Wight of Grady    |
| Meadows of Telfair    | Redding             | Williams          |
| Meadows of Toombs     | Reese               | Wohlwend          |
| Middlebrooks          | Reid of Campbell    | Wood              |
| Miller of Calhoun     | Reid of Macon       | Woodliff          |
| Miller of Ware        | Rentz               | Wright of Floyd   |
| Milikin               | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |
| MacFarland            | Shirley             |                   |

Mr Minter was absent.

The Journal of yesterday's proceedings was read and confirmed.

Mr. Alexander, of Fulton, gave notice that at the proper time he would move to reconsider the action of the House in defeating yesterday the bill known as the "Barbers Bill."

By unanimous consent the following bills were read the second time, to wit:

By Mr. Field, of DeKalb—

A bill to define the powers and rights of an Attorney at-Law and for other purposes.

By Mr. Field, of DeKalb—

A bill to further regulate practice before Auditors appointed to hear causes in pursuance of the existing law.

By Mr. Jones, of Meriwether—

A bill to amend an Act to create the City Court, of Greenville.

By Mr. Harrington, of Liberty—

A bill to change the time of holding the fall term of the Superior Court of Liberty County.

By Mr. Tarver, of Whitfield—

A bill to appropriate \$2,500 for the erection of a monument to General Joseph E. Johnson.

By Messrs. Faircloth, of Johnson, Lewis, of Hancock—

A bill to amend Section 574, Volume 1, of the Code of 1895.

By unanimous consent House Bill No. 526 was re-committed to the Temperance Committee.

By unanimous consent the session of the House this morning was extended for thirty minutes for the purpose of reading bills a second time.

The following resolution was taken up by unanimous consent, and put upon its passage:

By Messrs. Smith, of Gilmer, Wright, of Floyd, et al.

A resolution memorializing the General Assembly of Tennessee to appoint an additional Judge of the Circuit Court of Polk County, Tennessee.

On motion of Mr. Anderson, of Chatham, the resolution was tabled.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. McMichael, of Marion—

A bill to amend Article 7, Section 1, of the Constitution.

Referred to Committee on Amendment to Constitution.

By Mr. Field, of Crisp—

A bill to prevent the exposition of any prize fight or boxing contest by moving pictures, etc.

Referred to Committee on Special Judiciary.

Mr. Anderson, Vice-Chairman of the Committee on Rules, submitted the following report:

JULY 6TH, 1910.

*Mr. Speaker:*

Your Committee on Rules beg leave to submit the following report upon the various resolutions submitted to it:

1. Committee recommends that House Resolution No. 208 fixing a special order for Senate Bill 119 do pass as amended.

2. Committee recommends that House Resolution No. 209 do pass.

3. As to House Resolutions 195, 201, 204, 205, all asking for special orders for various Special Appropriation Bills, your Committee recommends as a substitute for all these resolutions the following, to-wit: "That all House Bills involving a Special Appro-

priation, which have been favorably reported and are ready to be placed on their passage shall be set as Special and Continuing Orders, in their order on the Calendar, for Thursday, July 14th, immediately after the expiration of the morning hour for unanimous consents.

Respectfully submitted

J. RANDOLPH ANDERSON,

Vice-Chairman.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by a requisite constitutional majority the following bill of the House, to-wit:

A bill to require all cotton seed meal sold in Georgia, to be branded according to quality.

The Senate has passed by a requisite constitutional majority the following Senate bills, to-wit:

A bill to amend Section 2181, of Volume 2, of the Code, so as to allow electric street railroads to sell gas for heat, light, etc.

A bill to establish a system of electric lighting for the town of Buena Vista.

A bill to amend an Act authorizing the town of Buena Vista to establish a system of water works.

A bill to provide for control of cemeteries, etc., in counties of 125,000 population and over.

A bill to authorize the Chairman of the Board of Trustees of University of Georgia to appoint three members of said Board upon each of the branch colleges of the University.

A bill to make the President of the Board of Trustees of the State Normal School ex-officio a member of the Board of Trustees of the University of Georgia.

Mr. MacFarland, Vice-Chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment has examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following resolutions, to-wit:

A resolution to pay the expenses and per diem of Committees authorized to act during vacation of 1909.

A resolution to pay W. C. Allen \$10.80.

Also the following Acts, to-wit:

An Act to require all cotton seed meal to be branded.

An Act to put into force the Constitutional Amendment relative to the payment of pensions.

Respectfully submitted

McFARLAND,

Vice-Chairman.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. McWhorter, of Greene—

A bill to amend an Act to incorporate the city of Union Point.

The following resolution which was made the special order for this time was read the second time and put upon its passage, to-wit:

By Mr. Slade, of Muscogee—

A resolution providing for the ratification by the State of Georgia of the proposed amendment to Article 16 of the United States Constitution.



Pending discussion of the above bill Mr. Hall, of Bibb, moved that when the House adjourn it meet again at 9 o'clock to-morrow morning, which motion prevailed.

On motion of Mr. Fullbright, of Burke, the House reconsidered its action in adopting the motion to meet at 9 o'clock to-morrow morning.

Mr. Fullbright then moved that when the House adjourn it adjourn to meet at 9:30 o'clock to-morrow morning.

Mr. Hall proposed to amend that the hour of meeting for the remainder of the session be 9:30 o'clock a.m., which was adopted, and the motion was adopted as amended.

The following bills were read the second time, to-wit:

By Mr. Vinson, of Baldwin—

A bill to appropriate \$35,000 to build a new college building on the campus of the campus of the Georgia Normal and Industrial College at Milledgeville.

By Mr. McMahan, of Clarke—

A bill to appropriate \$15,000 to State University for the purpose of erecting a heating plant.

By Mr. Wright, of Floyd—

A resolution to create a Committee to investigate the using of certain State property, etc.

By Mr. McMahan, of Clarke—

A bill to appropriate \$25,000 to the State Normal School at Athens.

By Mr. Wright, of Floyd—

A bill to require legislative counsel to register with the Secretary of State.

By Mr. Wright, of Floyd—

A bill to fix the term of the Supreme Court at which each bill of exceptions, etc., shall be docketed.

By Messrs. Wright and Porter, of Floyd—

A bill to amend Section 220 of the Criminal Code.

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A bill to appropriate \$35,000 for the use of the Technological School.

By Mr. Alexander, of Fulton—

A bill to protect persons purchasing property or obtaining contractual liens, etc.

By Mr. McElreath, of Fulton—

A bill to regulate practice in possessory proceedings.

By Mr. Wright, of Floyd—

A bill to create a Legislative reference bureau.

By Mr. Hardman, of Jackson—

A bill to create a State Road Commission.

By Mr. Wright, of Floyd—

A bill to prohibit betting on elections, etc.

By Mr. Chandler, of Franklin—

A bill to amend Section 220 of the Code of 1895.

By Mr. McMichael, of Marion—

A bill to repeal an Act to Sections 1778 and 1781 of the Code of 1895.

By Mr. Rogers, of Randolph—

A bill to prohibit the sale of near beer in Randolph County.

By Mr. Ford, of Worth—

A bill to amend an Act to create the City Court of Sylvester.

By Mr. Anderson, of Chatham—

A bill to amend an Act to levy and collect tax for support of State Government 1909.

By Mr. McElreath, of Fulton—

A bill to amend an Act to provide for an Ordinary pro hoc vice in certain cases.

By Mr. Adams of Hall—

A bill to amend an Act to create the City Court of Hall County

By Mr. Alexander, of Fulton—

A bill to amend Section 2776 of the Civil Code of 1895.

By Mr. McWhorter, of Greene—

A bill to amend Section 5182 of the Code of 1895.

By Mr. Adams, of Hall—

A bill to authorize Hall County to issue bonds for road purposes.

By Mr. Adams, of Hall—

A bill to incorporate the town of Candler.

By Mr. McCutchen, of Heard—

A bill to provide in what cases counties shall be chargeable with the expense of arrests.

By Mr. Williams, of Madison—

A bill to repeal an Act to create the City Court of Danielsville.

By Mr. Boyd, of Spalding—

A bill to consolidate the laws to create the charter of Griffin.

By Mr. Calbeck, of Gordon—

A resolution to appropriate \$2,500 to build wall around Resaca Cemetery.

By Messrs. McMahan, of Clarke, Middlebrooks, of Newton, et al—

A bill to appropriate money to erect monument to Confederate veterans.

By Mr. Boyd, of Spalding—

A bill to amend an Act to create a Board of Commissioners of Spalding and Bibb Counties.

By Mr. Hatfield, of Coffee.—

A bill to amend an Act to create the City Court of Douglas.

By Mr. Henderson, of Turner—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Turner County.

By Mr. Henderson, of Turner—

A bill to amend an Act to incorporate the town of Sycamore.

By Mr. Henderson, of Turner—

A bill to create a new charter for the town of Worth.

By Mr. Henderson, of Turner—

A bill to repeal an Act to incorporate the town of Sycamore

By Mr. Persons, of Monroe—

A bill to amend an Act to create a Board of Commissioners for Turner County.

By Mr. Wight, of Grady—

A bill to amend the charter of Cairo.

By Mr. Johnson, of Towns—

A bill to prohibit taking fish from certain parts of Hiawassee river

By Mr. Miller, of Ware—

A bill to amend an Act to create the City Court of Waycross.

By Mr. Barksdale, of Wilkes—

A bill to fix salary of stenographer in office of Bank Examiner.

By Mr. White, of Screven—

A bill to amend an Act to fix the term of office of the Commissioner of Pensions.

By Messrs. Smith and Kennedy, of Tatnall—

A bill to amend an Act to incorporate the city of Hagan.

By Mr. Sheppard, of Sumter—

A bill to confer upon certain corporations the powers of trust companies.

By Messrs. Wholwhender and Slade, of Muscogee—

A bill to authorize the sale of a part of the commons of the city of Columbus.

By Mr. Carswell, of Wilkinson—

A bill to amend Section 982, Volume 1, of the Code, so as to create a State Depository in Gordon.

By Messrs. Hardman, of Jackson, Brown, of Fulton,  
Word, of Banks—

A bill to appropriate additional funds for the completion of the State Sanitarium for treatment of tuberculosis.



By Messrs. Adams and Carter, of Hall—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Hall County.

By Mr. Miller, of Ware—

A bill to regulate butchering of cattle in Ware county.

By Mr. Williams, of Madison—

A bill to incorporate the town of Ila.

By Messrs. Brown and McElreath, of Fulton—

A bill to amend an Act to create a new charter for Atlanta.

By Messrs. Baker, of Lumpkin, Elder, of Oconee,  
et al—

A bill to appropriate \$15,000 to build new college building on campus of North Georgia Agricultural College.

The business for which the session was extended having been completed, the Speaker announced the House adjourned until 9:30 o'clock to-morrow morning.

## ATLANTA, GEORGIA,

THURSDAY, JULY 7, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Fairecloth          |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bullock | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converse  | Goodley             |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Decatur  | Edwards   | Helms               |
| Brinson of Emanuel  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hill                |
| Brown of Murray     | Evans     | Holder of Floyd     |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tatnall  |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Oliver              | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pierce              | Vinson            |
| Lewis                 | Popo                | Waddell           |
| Littleton             | Porter              | Walter            |
| Lord                  | Prier               | Wasden            |
| Lovejoy               | Proctor             | Watkins           |
| Martin                | Reaves              | White of Screven  |
| Meadows of Telfair    | Redding             | Whiteley          |
| Meadows of Toombs     | Reese               | Wight of Grady    |
| Middlebrooks          | Reid of Campbell    | Williams          |
| Miller of Calhoun     | Reid of Macon       | Wohlwender        |
| Miller of Ware        | Reid of Putnam      | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Roberts             | Wright of Floyd   |
| Moore                 | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. McCarty, of Chatham—

A bill to prescribe the qualifications of managers of elections in certain cities.

The following amendments were adopted, to-wit:

To amend by striking the word “ten” and insert the word “five” in Section 1, also

To amend caption by striking word “ten” and insert the word “five.”

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On motion of Mr. Fullbright the action of the house in agreeing to the report of the Committee was reconsidered.

The following amendments were adopted, to-wit:

By Mr. Fullbright, of Burke—

To amend by striking Section 2 and insert in lieu thereof the following, to-wit: “Sec. 2. Be it further enacted that any person violating the provisions of this Act shall, upon conviction, be punished

as prescribed in Section 1039, Volume 3, of the Code of 1895.”

By Mr. McFarland, of McIntosh—

To amend by striking the words “having a population according to the United States Census of the year 1900, of not less than ten thousand” between the words “State” and “to” in Section 1.

The favorable report of the Committee was then agreed to as amended.

On the passage of the bill the ayes were 113, nays, 4.

The bill having received the requisite Constitutional majority was passed as amended.

Mr. Hardman, of Jackson, Chairman of Committee on Temperance, submitted the following report:

*Mr. Speaker:*

Your Committee on Temperance has had under consideration the following bills of the House and instruct me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to provide for discovery on oath of evidence in certain cases, concerning sale of cigarettes and intoxicating liquors.

A bill to authorize the sale, etc., of soft drinks in the town of Young Harris.

A bill to prohibit sale of all kinds of malt in the State of Georgia.

A bill to amend Act relative to sale of narcotic drugs.

A bill to forbid the drinking of intoxicating liquors on railway passenger trains and other public places.

Respectfully submitted,

L. G. HARDMAN, Chairman.

Mr. Brown, Chairman of Committee on Hygiene and Sanitation, submitted the following report:

*Mr. Speaker:*

Your Committee on Hygiene and Sanitation has had under consideration the following bill of the House, to-wit:

House Bill No. 296.—An Act to regulate the Sanitary conditions of Hotels and Boarding Houses, and recommend that same do pass, by substitute.

House Bill No. 687.—An Act to prohibit the pollution of Lakes, Rivers, etc., do not pass.

House Bill No. 523.—An Act to declare Coca-Cola a poisonous drug. Do not pass.

Respectfully submitted,

GEO. BROWN, Chairman.

Mr. Fullbright, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration House Bill No. 766, and instruct me to report the same back with the recommendation that it do not pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Johnson, of Bartow, Chairman of the Committee on General Agriculture, submitted the following report:

*Mr. Speaker:*

Your Committee on General Agriculture has had under consideration House Bill No. 760, and have instructed me, as their Chairman, to report the same back to the House with recommendation that same do pass, to-wit:

House Bill No. 760.—A bill to be entitled an Act to amend an Act entitled an Act to regulate the sale, inspection and analysis of commercial fertilizer, and for other purposes.

Also House Bill No. 394.—A bill to make the county school commissioner, the county commissioner of Agriculture, do not pass.

Also House Bill No. 842.—A bill to increase the salary of chief drug inspector, do not pass.

Also House Bill No. 305.—A bill to prevent dogs from running at large and provided for their muzzling, do not pass.

Respectfully submitted,

JOHNSON, of Bartow, Chairman.

Mr. McMichael, Chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration certain bills and instruct me as its Chairman to make the following report:

House Bills Nos. 201, 202 and 203, do pass by substitute.



House Bill No. 461, do pass as amended.

House Bill No. 498, do not pass.

Respectfully submitted,

McMICHAEL, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to fix fees to be paid by local fire and storm insurance companies doing business in four counties.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Garlington, of Richmond—

A bill to regulate the manner of filing defense in the courts of this State.

Referred to Committee on General Judiciary.

By Mr. Tarver, of Whitfield—

A bill to prohibit railroads from running trains with double headers.

Referred to Committee on Railroads.

By Mr. Hardman, of Jackson—

A bill to extend the suppression of contagious diseases of live stock, etc.

Referred to Committee on Hygiene and Sanitation.

By Mr. Johnson, of Jeff Davis—

A bill to amend an Act creating the City Court of Hazelhurst.

Referred to Committee on Special Judiciary.

By Mr. Calbeck, of Gordon—

A bill to repeal an Act to alter and amend the road laws of Georgia.

Referred to Committee on Roads and Bridges.

By Messrs. Tarver, of Whitfield; Johnson, of Bartow; McConnell, of Gwinnett—

A bill to prohibit the exhibition of moving pictures in this State portraying prize fights.

Referred to Committee on Special Judiciary.

By Mr. Henderson, of Turner—

A bill to amend an Act to create the City Court of Ashburn.

Referred to Committee on Special Judiciary.

By Messrs. Porter, Wright and Holder, of Floyd—

A bill to amend an Act to create the City Court of Floyd county.

Referred to Committee on Special Judiciary.

By Messrs. Reid, of Campbell; Alexander, of DeKalb—

A resolution to appropriate \$281.25 to pay deficiency in the salaries of Assistant Librarian last year.

Referred to Committee on Appropriations.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A bill to provide for the establishment of a civic  
center in Atlanta.

Referred to Committee on W. & A. R. R.

By Messrs. Hardman and Holder, of Jackson—

A bill to create a new charter for the town of  
Statham.

Referred to Committee on Corporations.

By Messrs. Slade and Wohlwender, of Muscogee—

A bill to require the several boards of health of  
this State to enforce the standard transit permits  
adopted by the Georgia State Board of Embalming.

Referred to Committee on Hygiene and Sanita-  
tion.

By Mr. McMichael, of Marion—

A resolution to make House Bill No. 681, a spe-  
cial order.

Referred to Committee on Rules.

The following bill was read the third time and put  
upon its pasage, to-wit:

By Mr. McWhorter, of Greene—

A bill to amend an Act to incorporate the City of Union Point.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted the following resolution, in which the concurrence of the House is respectfully asked, to-wit:

A resolution providing for a joint Committee of three from the Senate and five from the House of Representatives to inquire into the needs of the State of Georgia, for additional lands at or near Chattanooga, Tenn., etc., and the following is the Committee on part of the Senate under said resolution, to-wit:

Senators Gordy, Jackson and Akin.

The Senate has concurred in the following House resolution, to-wit:

A resolution to appoint a joint Committee to look into the matter of erecting a building for a State museum, and the following is Committee on part of the Senate under said resolution, to-wit:

Senators Mathews, McCollum and Hassell.

The following bill which was made the special order for this hour was read the third time and put upon its pasage, to-wit:

By Mr. Littleton, of Richmond—

A bill to encourage education by requiring parents and guardians, etc., to send children of certain ages to school and for other purposes.

The Committee offered a substitute which was read.

By unanimous consent the previous question was ordered to be called at 11:30 o'clock a. m.

Unanimous consent was granted Mr. Persons, of Monroe, to be recorded as voting "aye" when the above measure should come to a vote, he having explained that he was compelled to be absent from the hall.

On motion of Mr. Fullbright the House reconsidered its action in ordering the previous question called at 1:30 o'clock a. m.

By unanimous consent further individual speeches on the above bill were limited to ten minutes.

On motion of Mr. Vinson, of Baldwin, the session was extended until the above bill could be disposed of.

The previous question was called and the main question ordered.

The following amendment was adopted, to-wit:

By Mr. Lovejoy—

To amend Section 6 by striking figures “1910” and inserting in lieu thereof figures “1911.”

The substitute was then adopted as amended.

The report of the Committee which was favorable to passage of the bill by substitute was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Garlington            | McElreath           |
| Alexander of DeKalb | Gastley               | McMahan             |
| Alexander of Fulton | Gillis                | McMichael of Butts  |
| Alley               | Godley                | McMichael of Marion |
| Anderson of Chatham | Griffin of Twiggs     | McWhorter           |
| Armistead           | Guyton                | Parker of Talbot    |
| Atherton            | Hardman of Jackson    | Persons             |
| Atkinson            | Harrington            | Pickett             |
| Barksdale           | Hatfield              | Pierce              |
| Barrett             | Helms                 | Porter              |
| Brinson of Emanuel  | Hendricks             | Price               |
| Brown of Fulton     | Hill                  | Reese               |
| Brown of Henry      | Hubbard               | Robert              |
| Brown of Murray     | Huie                  | Shirley             |
| Burch               | Johnson of Jeff Davis | Slade               |
| Buxton              | Johnson of Towns      | Smith of Gilmer     |
| Calbeck             | Jones of Laurens      | Stovall             |
| Cannon              | Jones of Mitchell     | Stubbs of Putnam    |
| Chandler            | Kennedy               | Tarver              |
| Cowan               | Kicklighter           | Tippins             |
| Drawdy              | Littleton             | Tracey              |
| Edwards             | Lovejoy               | Tuggle              |
| Elder               | Martin                | Turnipseed          |
| Evans               | Miller of Ware        | Upshaw              |
| Fairecloth          | Milikin               | Walters             |
| Fender              | Moss                  | Whiteley            |
| Field of DeKalb     | MacFarland            | Wight of Grady      |
| Fields of Crisp     | McCarthy              | Wohlwender          |
| Fullbright          | McCutchen             | Wright of Floyd     |

## Those voting in the negative were Messrs.:

|                    |                  |                     |
|--------------------|------------------|---------------------|
| Allen              | Brown of Carroll | Davis               |
| Aul                | Carter           | Ellison             |
| Baker              | Childs           | English             |
| Bell               | Converso         | Ford                |
| Berry              | Cordell          | Graddick            |
| Booker             | Couch            | Hall                |
| Boyd               | Culberson        | Hardeman of Jeffs'n |
| Brinson of Decatur | Daniel           | Harvey              |



|                     |                   |                   |
|---------------------|-------------------|-------------------|
| Heard               | Lewis             | Redding           |
| Henderson of Irwin  | Lord              | Rogers            |
| Henderson of Turner | Miller of Calhoun | Sheppard          |
| Holder of Floyd     | Mitchell          | Simmons           |
| Holtzelaw           | Moore             | Simpson           |
| Howell              | MacIntyre         | Smith of Tattnall |
| Hullender           | McConnell         | Smith of Walton   |
| Johnson of Bartow   | McCrory           | Turner            |
| Joiner              | McCurry           | Vinson            |
| Jones of Meriwether | Oliver            | Waddell           |
| Kelley              | Parker of Decatur | Wasden            |
| Kendrick            | Paulk             | Watkins           |
| Kidd                | Poppe             | Williams          |
| Kirby               | Proctor           | Woodliff          |
| Lawrence            | Reaves            |                   |

Those not voting were Messrs.:

|                     |                    |                   |
|---------------------|--------------------|-------------------|
| Anderson of Bullock | Ellis              | Reid of Macon     |
| Bagley              | Criffin of Sumter  | Rentz             |
| Bailey              | Keith              | Rosser            |
| Beacham             | Meadows of Telfair | Strong            |
| Butt                | Meadows of Toombs  | Stubbs of Thomas  |
| Carswell            | Middlebrooks       | White of Screven  |
| Cooke               | Minter             | Wood              |
| Cureton             | McArthur           | Wright of Stewart |
| Dickson             | Peacock            | Mr. Speaker       |
| Edmondson           | Reid of Campbell   |                   |

The roll call was verified and on counting the votes it was found that the ayes were 87, nays, 68.

The bill having failed to receive the requisite Constitutional majority was lost.

Mr. McMichael gave notice that at the proper time he would move to reconsider the action of the House in failing to pass the above bill.

Leave of absence was granted Messrs. Meadows, of Toombs; Williams, of Madison.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

FRIDAY, July 8, 1910.

The House met pursuant to adjournment at 9:30 o'clock, a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Messrs. Ford, of Worth and Beazley, of Lee—

A bill to make it unlawful for any person to draw a check on any bank where he has not sufficient funds to meet the same.

The substitute offered by the Committee was read.

On motion of Mr. McMichael, of Marion, the bill was tabled.

On motion of Mr. Persons, of Monroe, House Bill No. 747 was tabled.

The Speaker announced the following Committee on part of the House under House Resolution No. 203, for the purpose of considering the advisability

of securing a central location on which to erect a suitable building for a permanent exhibit of the agricultural, mineral and manufactured products of this State, etc.

Messrs. Davis; Henderson, of Irwin; Butt; Hardman, of Jackson; Garlington.

By unanimous consent the session of the House was extended for fifteen minutes for the purpose of considering House Resolution No. 183.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. Sheppard, of Sumter—

A bill to authorize the Secretary of State to confer upon certain corporations the powers of trust companies and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 70, nays, 40.

The bill having failed to receive the requisite Constitutional majority was lost.

Mr. Sheppard gave notice that at the proper time he would move to reconsider the action of the House in refusing to pass the above bill.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. Harrington, of Liberty—

A bill to change the time of holding the fall term of the Superior Court of Liberty county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Hardman, of Jefferson—

A bill to amend an Act governing primary elections.

Referred to Committee on General Judiciary.

By Mr. Alexander, of Fulton—

A resolution memorializing congress to forbid the

transportation in Interstate Commerce of convict made goods.

Lie on table one day

By Mr. Watkins, of Colquitt—

A bill to incorporate the town of Ellentown.

Referred to Committee on Corporations.

By Mr. Peacock, of Pulaski—

A bill to propose an amendment to Paragraph 2, Section 1, Article 11, of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. English, of Warren—

A bill to amend an Act to create a Board of Commissioners, etc., for Warren county.

Referred to Committee on Counties and County Matters.

By Mr. English, of Warren—

A bill to amend and consolidate the Acts incorporating the town of Camak.

Referred to Committee on Corporations.

By Mr. Stubbs, of Putnam—

A resolution to refund to Jno. D. Walker et al. amount paid him for charter.

Referred to Committee on Appropriations.

The following resolutions were read, to-wit:

By Mr. Davis—

A resolution to make House Bill No. 112, the special order for July 12th.

Referred to Committee on Rules.

By Mr. Burch, of Laurens—

A resolution to make House Bill No. 182, the special order for Tuesday, July 12th.

Referred to Committee on Rules.

By unanimous consent the following bill was read the second time and recommitted, to-wit:

By Mr. Godley, of Camden—

A bill to authorize the issuance of licenses to persons conducting church festivals in Camden county.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Field, of DeKalb—

A bill to amend an Act to authorize the Town of Lithonia to create a system of public schools.

The following resolution was read and adopted, to-wit:

By Mr. Huie, of Clayton—

A resolution tendering the sympathy of the House to Hon. R. P. Minter in his illness and granting to him an indefinite leave of absence.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. McIntyre, of Thomas—

A bill to fix the fees to be paid by local Fire and Storm Assessment Insurance Companies doing business in four counties or less, and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 117, nays, 9.

The bill having received the requisite Constitutional majority was passed.



Mr. Garlington who gave notice yesterday moved that the House reconsider its action in refusing to pass House Bill No. 221, known as the "Compulsory Education Bill" which motion prevailed.

On motion of Mr. Alexander, of Fulton, the House reconsidered its action in refusing to pass House Bill 160, known as the "Barbers' Bill."

On motion of Mr. Heard, of Dooly, House Bill No. 402, was taken from the table and placed on the Calendar.

Mr. McMahan, Acting Chairman of Committee on Appropriations submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations have had under consideration the following bills of the House, and instructed me as their Chairman to report same back to the House with the recommendation that same pass, to-wit:

A bill to appropriate \$15,000.00 for building for insane persons, who have tuberculosis.

A bill to make appropriation for maintenance of the Georgia State Sanitarium for years 1910 and 1911.

A bill to appropriate \$36,300.00 to repair and re-equip buildings of Georgia State Sanitarium.

A bill to appropriate \$60,000 to Georgia State Sanitarium for hospital.

A bill to appropriate \$15,000.00 to Georgia State Sanitarium for reservoir.

A bill to appropriate \$5,000 to equip Carnegie Library at University of Georgia.

Also the following resolution of the House with the recommendation that same do pass, to-wit:

A bill to pay balance past-due salary of Assistant State Librarians.

Respectfully submitted,

J. J. C. McMAHAN,

Acting Chairman.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr Speaker:*

Your Committee on Constitutional Amendments have had under consideration the following bill

which it reports back to the House with the following recommendations :

House Bills Nos. 154, 259, 737 and 806 do pass.

House Bill No. 172 do pass by substitute.  
July 8th, 1910.

PERSONS, Chairman.

Mr. Parker, Chairman of the Committee on Railroads, submitted the following report:

*Mr. Speaker:*

The Committee on Railroads has had under consideration the following House bill and recommend that the same do pass as amended:

A bill to repeal all laws relative to operating and running of trains, etc., when approaching or going over public road crossings.

Also the following bill of the House with the recommendation that the same do not pass.

A bill to prohibit parties bringing action in the State of Georgia against non-resident Railroads.

Respectfully submitted,

W. M. PARKER,

Chairman.

Mr. McMahan, Chairman of Committee on University of Georgia and Branches, submitted the following report:

*Mr. Speaker:*

The Committee of University of Georgia and Branches has had under consideration the following bills: No. 851, and recommend that it do pass as amended.

Also House Bill No. 825, and recommend that it do pass as amended.

McMAHAN,

Chairman.

Mr. Barrett, Chairman of Committee on Penitentiary, submitted the following report:

*Mr. Speaker:*

Your Committee on Penitentiary has had under consideration the following bills, and recommend that the same do pass by substitute.

House Bill No. 754. An Act to require all applicants for pardon or commutation of sentence to give notice of such application, and the following do pass:

House Bill No. 844. An Act providing that a county may receive pay from another county for its misdemeanor convicts and for its quota of felony convicts.

That the following do not pass:

House Bill No. 787, providing for increase of salary of members of Prison Commission:

House Bill No. 761, providing that county authorities may make rules and regulations governing management of convicts.

House Bill No. 467, providing for payment of cost in certain criminal cases.

FERMOR BARRETT,

Chairman.

Mr. Fullbright, Chairman of the Special Judiciary Committee, submitted the following report:

JULY 8TH, 1910.

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me as their Chairman to report them back with the following recommendations:

House Bill No. 157, providing for Board of Examiners of Stationary Engineers, do pass as amended.

House Bill No. 771, amending Act relating to liens in favor of parties furnishing logs to saw mills, do pass as amended.

House Bill No. 752, amending City Court of Washington, do pass.

House Bill No. 751, creating City Court of Elijay, do pass.

House Bill No. 862, to prevent displaying prize fight or boxing contests by means of moving pictures, do pass.

House Bill No. 868, amending City Court of Ashburn, do pass.

House Bill No. 869, amending City Court of Hazen<sup>1</sup>hurst, do pass. .

House Bill No. 871, amending City Court of Floyd County, do pass.

Senate Bill No. 175, amending City Court of Washington, do pass.

Respectfully submitted,

FULLBRIGHT,

Chairman.

The following resolution was read and adopted, to-wit:

By Mr. Fullbright, of Burke—

A resolution fixing the order of business for tomorrow's session as follows:

1. Reports Standing Committees.
2. Introduction New Matter.
3. Reading House Bills and resolutions favorably reported a second time.
4. Reading Local House Bills without opposition the third time.
5. Reading Senate Bills first time.
6. Reading Senate Bills favorably reported second time.

By unanimous consent House Bill No. 787 was re-committed to the Penitentiary Committee.

The following resolution which was brought over as unfinished business was again taken up for passage, to wit:

By Mr. Slade, of Muscogee—

A resolution providing for the ratification by the State of Georgia of the proposed amendment to the Constitution of the United States, known as Article 16, so as to provide for a tax on incomes.

The hour of adjournment having arrived, the business for which the session was extended was taken up for consideration which is the following resolution, to-wit:

By Mr. Elder, of Oconee—

A resolution to request the Senators from Georgia in Congress to use their best efforts to secure the removal from office of Henry A. Rucker as Collector of Internal Revenue at Atlanta.

The previous question was called and the main question ordered.

On the adoption of the resolution the ayes were 29, nays 70. The resolution was therefore lost.

The following bill was read the second time, to-wit:

By Mr. Fields, of Crisp—

A bill to prohibit the showing of moving pictures portraying prize fights, etc.



Leave of absence was granted—

MR. ELDER, of Oconee,

JOHNSON, of Bartow,

BROWN, of Henry.

The Speaker then announced the House adjourned until 9:30 o'clock to-morrow morning.

ATLANTA, GEORGIA,

SATURDAY, JULY 9, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m. this day; was called to order by the Speaker pro tem., and opened with prayer by the Chaplain.

By unanimous consent the roll call and the reading of the Journal of yesterday's proceedings were dispensed with.

Mr. Brown, Vice-Chairman of the General Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House, and instructed me, as their Vice-Chairman, to report same back to the House with the recommendation that same do pass as amended, to-wit:

A bill to amend Section 188, Penal Code of Georgia, relative to embezzlement.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to prescribe the punishment for all felonies where same is not capital.

A bill to amend Section 1643, Penal Code, of 1895 relative to license of Confederate Soldiers.

Respectfully submitted,

W. F. BROWN,

Vice-Chairman.

The following bills were read the first time, to-wit:

By Messrs. Jones and Keith, of Meriwether—

A bill to create a new charter for town of Luthersville.

Referred to Committee on Corporations.

By Mr. Jones of Meriwether—

A bill to appropriate money for renovating State Library.

Referred to Committee on Appropriations.

By Mr. Jones, of Mitchell—

A bill to incorporate Sale City.

Referred to Committee on Corporations.

By Messrs. Fields and Alexander, of DeKalb—

A bill to ratify and confirm the closing of Ansley street, in Decatur.

Referred to Committee on Corporations.

By Messrs. Fields and Alexander, of DeKalb—

A bill to re-incorporate the town of Kirkwood.

Referred to Committee on Corporations.

By Mr. Harvey, of Wilcox—

A bill to amend an Act to amend an Act to incorporate the town of Pineview.

Referred to Committee on Corporations.

By Mr. McMahan, of Clarke—

A bill to amend Section 958, Volume 1, of the Code.

Referred to Committee on Counties and County Matters.

By Mr. Ford, of Worth—

A bill to repeal an Act to create a Board of Commissioners of Roads and Revenues for Worth County

Referred to Committee on Counties and County Matters.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Adams, of Hall—

A bill to authorize the county of Hall to issue bonds for road purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Adams, of Hall—

A bill to incorporate the town of Candler.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Boyd, of Spalding—

A bill to consolidate all laws to create a charter for Griffin.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99, nays 0

The bill having received the requisite constitutional majority, was passed.

By Mr. Boyd, of Spalding—

A bill to amend an Act to create a Board of Commissioners for Spalding and Butts counties.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Henderson, of Turner—

A bill to incorporate the town of Sycamore.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Henderson, of Turner—

A bill to repeal an Act to incorporate the town of Sycamore.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 108, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Henderson, of Turner—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Turner County

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Henderson, of Turner—

A bill to create a new charter for the town of Worth.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Messrs. Wholwender and Slade, of Muscogee—

A bill to authorize the sale of a part of the commons of Columbus.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Wright, of Grady—

A bill to amend the charter of the city of Cairo.

The favorable report of the Committee was agreed to.



On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Messrs. Adams and Carter, of Hall—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Hall County.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Messrs. Smith and Kennedy, of Tatnall—

A bill to amend an Act to incorporate the city of Hagan.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Turnipseed, of Clay—

A bill to provide a system of registration for Fort Gaines.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 111, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Turnipseed, of Clay—

A bill to create a Bond Commission for the city of Fort Gaines.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Johnson, of Towns —

A bill to prohibit the taking of fish from certain parts of the Hiawassee river.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 101, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Williams, of Madison—

A bill to incorporate the town of Ila.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Miller, of Ware—

A bill to regulate the butchering, etc., of any cattle, goats, sheep, etc., in Ware County.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Field, of DeKalb—

A bill to amend an Act to create a system of public schools in the town of Lithonia.

Mr. Alexander, of DeKalb, proposed the following amendment which was adopted, to-wit:

To amend Section 1 by striking therefrom the words “each year” and substituting therefor the words “in each year in which the regular school census is taken by general law” and by adding to said Section the words “But the first census shall be taken in the year 1910.”

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

The following bills were read the second time, to-wit:

By Mr. Butt, of Fannin—

A resolution favoring a change in the Federal

Constitution so as to elect Representatives in Congress by the people.

By Messrs. Reid of Campbell, and Alexander, of DeKalb—

A resolution to appropriate money to pay salaries of Assistant State Librarian etc.

By Mr. McElreath, of Fulton—

A bill to amend Article 6, Section 7, of the Constitution.

By Mr. McElreath, of Fulton—

A bill to authorize County Commissioners of counties in this State to create Board of Examiners of Stationary Engineers.

By Mr. Persons, of Monroe—

A bill to revise the School laws so as to substitute a County Superintendent of Schools for County School Commissioner.

By Mr. Persons, of Monroe —

A bill to revise the School laws so as to change the State Board of Education and prescribe their powers and duties.

By Mr. Persons, of Monroe—

A bill to revise the School laws so as to substitute a State Superintendent of Schools for State School Commissioner.

By Mr. Edwards, of Walton—

A bill to amend the Constitution so as to exempt certain farm products from taxation.

By Messrs. Person, Vinson, et al—

A bill to appropriate \$15,000 to State Sanitarium to erect building for treatment of tuberculosis.

By Messrs. Evans, of Bibb, and Slade, of Muscogee—

A bill to repeal existing laws relative to running and operating trains, etc, when approaching road crossings.

By Mr. Chandler, of Franklin—

A bill to amend Section 188 of the Penal Code.

By Mr. Vinson, of Baldwin—

A bill to appropriate \$25,000 for 1910, and \$35,000 for 1911 for support of State Sanitarium.

By Mr. Vinson, of Baldwin—

A bill to appropriate \$36,000 to replace old boilers at State Sanitarium.

By Mr. Vinson, of Baldwin—

A bill to appropriate \$60,000 for erection of hospital at State Sanitarium for treatment of acute diseases.

By Mr. Vinson, of Baldwin—

A bill to appropriate \$15,000 for construction of reservoir at State Sanitarium.

By Mr. McMahan, of Clarke—

A bill to appropriate \$5,000 for purposes of equipping and furnishing Carnegie Library at University.

By Mr. Edwards, of Walton—

A bill to amend Constitution so as to empower the State to create a debt of \$600,000.

By Mr. Smith, of Gilmer—

A bill to create the City Court of Ellijay

By Messrs. Barksdale and Booker, of Wilkes—

A bill to amend an Act to create the City Court of Washington.

By Messrs. Johnson and Price, of Bartow—

A bill to require applications for pardons to be published.

By Mr. Johnson, of Towns—

A bill to authorize the making, selling or giving away of lemonade, etc., in town of Young Harris.

By Mr. Booker, of Wilkes—

A bill to amend an Act to regulate the sale and inspection of fertilizers.

By Mr. Johnson, of Bartow—

A bill to amend an Act to create a lien in favor of persons hauling logs, lumber, etc.

By Mr. Persons, of Monroe—

A bill to amend Paragraph 2, Section 6, Article 7, of the Constitution.

Referred to Committee on Constitutional Amendments.



By Mr. Hardman, of Jackson—

A bill to make the President of the Board of Trustees of the State College of Agriculture and Mechanical Arts, ex-officio a member of the Trustees of the State University

By Mr. Smith, of Gilmer—

A bill to prohibit sale of all kinds of malt in State of Georgia.

By Mr. Hardman, of Jackson—

A bill to amend an Act to regulate the sale of narcotic drugs.

By Mr. Upshaw, of Douglas—

A bill to amend an Act to provide for future employment of felony and misdemeanor convicts on public roads.

By Mr. Wright, of Floyd—

A bill to prohibit the drinking of liquors on passenger trains.

By Mr. Brown, of Carroll—

A bill to authorize the Trustees of the 4th District Agricultural School to lease lands.

By Mr. Henderson, of Turner—

A bill to amend an Act to create the City Court of Ashburn.

By Mr. Johnson, of Jeff Davis—

A bill to amend an Act creating the City Court of Hazellhurst.

By Messrs. Porter, Wright and Holder, of Floyd—

A bill to amend an Act to create the City Court of Floyd County.

The following Senate Bills were read the first time, to-wit:

By Mr. Gordy, of 24th District—

A resolution providing for a joint Committee to investigate the need of property at Chattanooga, Tenn., by the State of Georgia.

Referred to Committee on Western & Atlantic Railroad.

By Mr. Murray, of 13th District—

A bill to amend Section 2181, Volume 2, of Code.

Referred to Committee on Railroads.

By Mr. Gordy, of 24th District—

A bill to create and maintain a system of electric lights for Buena Vista.

Referred to Committee on Corporations.

By Mr. Gordy, of 24th District—

A bill to amend an Act to authorize the issuance of bonds by Buena Vista, for water works.

Referred to Committee on Corporations.

By Mr. Slaton, of 35th District—

A bill to provide for control of cemeteries in certain counties.

Referred to Committee on Corporations.

By Mr. McCurry, of 31st District—

A bill to change time of holding the Superior Court of Hart County.

Referred to Committee on Special Judiciary

By Mr. Thompson, of 33rd District

A bill to authorize Chairman of Board of Trustees of State University to appoint three members of said

Board upon each of the Branch Colleges of the University.

Referred to Committee on University of Georgia.

By Mr. Thompson, of 33rd District—

A bill to make President of Board of Trustees of State Normal School ex-officio member of Trustees of University.

Referred to Committee on University of Georgia.

By Mr. Day, of 41st Dist—

A bill to incorporate town of Jasper.

Referred to Committee on Corporations.

By Messrs. Pitts, of 43rd District, Irwin, of 11th District—

A bill to fix fees to be paid by local fire and storm assessment insurance companies.

Referred to Committee on Insurance.

The following Senate Bill was read the second time, to-wit:

By Mr. Calloway, of 29th District—

A bill to amend an Act to create the City Court of Washington.

By unanimous consent Senate Bill No. 18 was taken from the table and placed on the Calendar.

On motion of Mr. Drawdy, of Clinch, the Speaker announced the house adjourned until 9:30 o'clock Monday morning.

## ATLANTA, GEORGIA,

MONDAY, JULY 11, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by Rev. R. D. Spalding.

By unanimous consent the roll call and reading of the Journal of Saturday's proceedings were dispensed with.

Mr. Hardeman, of Jefferson, arose to a question of personal privilege and refuted the statement which appeared in the "Atlanta Georgian," accusing him of having filibustered on the Compulsory Education Bill which came up for consideration last Thursday.

Mr. Baker, of Lumpkin, arose to a question of personal privilege, and also refuted the statement which appeared in the "Georgian" accusing members against the Compulsory Education Bill of filibustering.

By unanimous consent the following bill was read the third time, and put upon its passage, to-wit:

By Mr. Williams, of Madison—

A bill to repeal an Act to establish the City Court of Danielsville.

The following amendments were adopted, to-wit:

By the Committee: To amend by adding as Section 3, and changing Section 3 to Section 4, the following, to-wit:

“ Section 3. Be it further enacted by the authority aforesaid, That any issues that may hereafter arise or any process heretofore issued from said Court, be returned to the Superior Court of said County for determination.”

The report of the Committee which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. McCrory, of Schley—

A bill to amend Article 7, Section 2, Paragraph 1, of the Constitution.

Referred to Committee on Constitutional Amendments.

By Messrs. Brown, Alexander and McElreath, of  
Fulton—

A bill to require Solicitors of Courts and other  
officers to keep an itemized list of receipts.

Referred to Committee on Special Judiciary.

By Mr. Sheppard, of Sumter—

A bill to amend an Act to revise and consolidate  
the laws to incorporate the city of Americus.

Referred to Committee on Corporations.

By Mr. Reid, of Campbell—

A bill to prescribe the penalty for persons con-  
victed for Larceny after Trust.

Referred to Committee on Special Judiciary.

By Messrs. Kirby and Couch, of Coweta—

A bill to amend an Act to create a new charter for  
the city of Newnan.

Referred to Committee on Corporations.



By Mr. Alley, of White—

A bill relative to the stock law in certain counties.

Referred to Committee on General Agriculture.

By Mr. Hubbard, of Dawson—

A resolution to refund to J. R. Hubbard money paid by him for a charter.

Referred to Committee on Appropriations.

By Mr. Reid, of Campbell—

A bill to authorize the county of Campbell to pay the legal costs due offices in misdemeanor cases.

Referred to Committee on Special Judiciary

By Mr. Chandler, of Franklin—

A bill to authorize the city of Lavonia to establish and maintain a system of Public schools.

Referred to Committee on Special Judiciary.

By Mr. Chandler, of Franklin—

A bill to incorporate the town of Wilburn.

Referred to Committee on Special Judiciary

By Mr. McCutchen, of Heard—

A bill to establish the line between Georgia and Alabama in Heard County.

Referred to Committee on Appropriations.

By Mr. McCutchen, of Heard—

A resolution memorializing the General Assembly of Alabama to pass a similar resolution to the above in regard to the boundary line.

Referred to Committee on Counties and County Matters.

By Messrs. Parker and Kidd, of Decatur—

A bill to provide for the distribution of money arising for tax on dogs.

Referred to Committee on Education.

By Mr. Alexander, of DeKalb—

A bill to incorporate the town of Oakhurst.

Referred to Committee on Corporations.

By Mr. Paulk, of Berrien—

A bill to amend an Act to incorporate Milltown.

Referred to Committee on Corporations.

By Mr. Miller, of Ware—

A bill to amend an Act to create a new charter for Waveross.

Referred to Committee on Corporations.

By Mr. Sheppard, of Sumter—

A bill to amend an Act to amend and consolidate the Act incorporating the city of Americus.

Referred to Committee on Corporations.

By Mr. Brown, of Fulton—

A bill to appropriate \$1,000 to I. H. Oppenheim.

Referred to Committee on Appropriations.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A bill to appropriate \$10,000 annually to the Trustees of the State University, for purpose of organizing and maintaining a department of Poultry Industry

Referred to Committee on Appropriations.

By Mr. Godley, of Camden—

A resolution seeking the removal from office of Jno. M. Holzendorf, Collector of Customs for the Port of St Marys.

Lie on table one day.

By Messrs. McElreath, Brown and Alexander, of Fulton—

A resolution relative to the widening of Peachtree street.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

The Committee on Corporation has had under consideration the following bills of the House, and request me as their Chairman to report the same back to the House with the following recommendations:

House Bill No. 672. A bill to incorporate the town of Brooks, Fayette County, do pass.

House Bill No. 730. To incorporate the town of Carnegie, Randolph County, do pass.

House Bill No. 857. To amend the charter of Fairburn, Campbell County, do pass.

House Bill No. 875. To amend the charter of Camak, Warren County, do pass.

House Bill No. 867. To amend the charter of Statham, Jackson County, do pass.

House Bill No. 878. To incorporate the town of Ellenton, Colquitt County, do pass.

House Bill No. 880. To confirm the charter rights of Decatur, DeKalb County, do pass.

House Bill No. 881. To re-incorporate the town of Kirkwood, DeKalb County, do pass.

House Bill No. 882. To amend the Act incorporating the town of Pineview, Wilcox County, do pass.

BUTT, Chairman.

Mr. Heard, Chairman of the Committee on Banks and Banking, submitted the following report:

*Mr. Speaker:*

Committee on Banks and Banking having had under consideration House Bill 827 and have instructed me as their Chairman to report the bill with recommendation that it do pass.

HEARD, Chairman.

On motion of Mr. Sheppard, of Sumter, the House reconsidered its action in refusing to pass House Bill No. 788 July 8th, 1910.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Tarver, of Whitfield—

A bill to increase the number of terms of the Superior Court of Whitfield county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 117, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hatfield, of Coffee—

A bill to amend an Act to create the City Court of Douglas.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Henderson, of Turner—

A bill to amend an Act to establish the City Court of Ashburn.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Adams, of Hall—

A bill to amend an Act to establish the City Court of Hall county

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 1.

The bill having received the requisite Constitutional majority was passed.

By Mr. Jones, of Meriwether—

A bill to amend an Act to create the City Court of Greenville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 119, nays 1.

The bill having received the requisite Constitutional majority was passed.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following House bills, to-wit:

A bill to make it unlawful to run traction engines in Thomas and Grady counties.

A bill to define water lot No. 19 in the City of Columbus, Muscogee county.

A bill to amend the charter of the town of Leslie, in the county of Sumter.

A bill to amend an Act to create a Board of Commissioners for the county of Liberty



The following message was received from the Senate through Mr. Northen, Secretary thereof.

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit.

A bill to repeal an Act to incorporate the town of Crawford in the county of Oglethorpe.

A bill to change the time of holding the Superior Court of Marion county.

A bill to establish a City Court for the City of Cuthbert in the county of Randolph.

Mr. McFarland, Chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker:*

The Enrollment Committee has examined and found properly enrolled, duly signed and ready for delivery to the Governor the following Act, to-wit:

An Act to confirm the title to water lot No. 19 in the City of Columbus in the Eagle and Phoenix Mills.

Respectfully submitted,

McFARLAND, Chairman.

Under the head of unfinished business the following resolution was taken up for further consideration, to-wit:

By Mr. Slade, of Muscogee—

A resolution providing for the ratification of the amendment to the Federal Constitution providing for an income tax.

By unanimous consent the above resolution was made a special continuing order and was made to displace the granting of unanimous consents for the first half hour of the session tomorrow morning. The Speaker to recognize members for the purpose of unanimous consents immediately after the disposal of the above resolution.

By unanimous consent the session was extended for 15 minutes for the purpose of reading House bills a first time and Senate bills a first time.

By unanimous consent Messrs. Adams, Hill, Kennedy and Persons were granted permission to be recorded as voting “aye” on the above resolution when the same should come to a vote.

The following bills were read the first time, to-wit:

By Messrs. Alexander, of DeKalb; Hall, of Bibb—

A bill to repeal all laws authorizing persons or corporations to condemn water powers, etc.

Referred to Committee on General Judiciary.

By Mr. Garlington, of Richmond—

A resolution relative to the publication of the laws of session 1910.

Lie on table one day.

By Mr. Anderson, of Chatham—

A bill to amend Section 1882, Volume 2, of the Code of 1895.

Referred to Committee on General Judiciary.

By Messrs. Anderson, Lawrence and McCarthy, of Chatham—

A bill to amend Acts authorizing the establishing of farms as places of confinement of certain prisoners.

Referred to Committee on Penitentiary.

By Messrs. Anderson, Lawrence and McCarthy, of Chatham—

A bill to authorize County Commissioners to protect public ways, etc.

Referred to Committee on Roads and Bridges.

By Messrs. Heard & Beacham, of Dooly—

A bill to amend an Act to incorporate the town of Unadilla.

Referred to Committee on Corporations.

By Messrs. Moss and Daniel, of Cobb—

A bill to amend the charter of the town of Powder Springs.

Referred to Committee on Corporations.

By Messrs. Moss and Daniel, of Cobb—

A bill to create a system of public schools for town of Powder Springs.

Referred to Committee on Education.

By Mr. Henderson, of Irwin, et al.—

A bill to appropriate \$10,000 to the State Board of Entomology.

Referred to Committee on Appropriations.

By Mr. Anderson, of Chatham—

A bill to create a State Bureau of Highways.

Referred to Committee on Roads and Bridges.

By Messrs. Anderson, Lawrence and McCarthy, of Chatham—

A bill to authorize County Commissioners of certain counties to adopt regulations permitting tax payers to pay county taxes quarterly.

Referred to Committee on Ways and Means.

The following Senate bills were read the first time, to-wit:

By Mr. Irwin, of 11th district—

A bill to create a City Court for the City of Cuthbert.

Referred to Committee on Special Judiciary.

By Mr. Gordy, of 24th district—

A bill to change the time of holding the City Court of Marion county.

Referred to Committee on Special Judiciary.

By Mr. Stephens, of 30th district—

A bill to repeal an Act to incorporate the town of Crawford.

Referred to Committee on Special Judiciary.

Leave of absence was granted Mr. McCutcheon, of Heard.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA.

Tuesday, July 12, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

ATLANTA, GA., July 11, 1910.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr. Speaker:*

His Excellency, the Governor, has approved the following bills:

An Act to create a Board of Commissioners of Roads and Revenues for Clayton county.

An Act to put into force the Constitutional amendment providing for the payment of pensions to the widows of ex Confederate soldiers.

A resolution providing for the payment of the expenses of the Committees appointed to act after the session of 1909.

A resolution to repay W. C. Allen, oil inspector at Wrightsville.

An Act to require cotton seed meal to be branded according to grade and quality.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted by a requisite Constitutional majority the following resolution of the Senate, to-wit:

A resolution proposing to ratify an amendment to the Constitution of the United States providing for the levy and collection of an income tax.

The following telegram was read:

AMERICUS, GA., July 12, 1910.

JOHN N. HOLDER,

Speaker House Representatives,

Atlanta, Ga.:

Have me recorded aye income tax resolution.

P. T. McCUTCHEN.



The Speaker ruled that a vote on any question by telegram could not be recorded for the reason that the telegram could have been sent by some other party and stated further that if it were allowed it would be difficult to keep a quorum at the capitol.

As unfinished business the following resolution was taken up for further consideration, to-wit:

By Mr. Slade, of Muscogee—

A resolution providing for the ratification of an amendment to the United States Constitution providing for an income tax.

Mr. Edwards, of Walton, moved that the previous question be ordered at 10:30 o'clock this morning.

Mr. Fullbright, of Burke, moved as a substitute that the previous question be ordered at 11:30 a. m., which was adopted.

The motion of Mr. Edwards was then adopted by substitute.

Mr. Johnson, of Bartow, asked the unanimous consent of the House to be recorded as voting aye on the passage of the above resolution when the same should come to a vote as at that time he would be compelled to be absent from the hall, which was granted.

By unanimous consent the time for the call of the previous question was extended for the purpose of allowing Mr. Ellis, of Bibb, to conclude his remarks.

The previous question was then called.

The original resolution was read the third time.

The substitute offered by Mr. Alexander, of DeKalb was read and adopted.

On the passage of the resolution by substitute Mr. Hall, of Bibb, called for the ayes and nays which call was sustained and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Adams               | Brown of Henry  | English               |
| Alexander of DeKalb | Brown of Murray | Evans                 |
| Alexander of Fulton | Butt            | Faircloth             |
| Allen               | Buxton          | Fender                |
| Alley               | Carswell        | Field of DeKalb       |
| Anderson of Bullock | Carter          | Ford                  |
| Armistead           | Chandler        | Gastley               |
| Atherton            | Childs          | Gillis                |
| Atkinson            | Converso        | Graddick              |
| Aul:                | Cooke           | Griffin of Twiggs     |
| Bailey              | Cordell         | Guyton                |
| Bake:               | Cowan           | Hall                  |
| Barrett             | Culberson       | Hardeman of Jefferson |
| Bell                | Cureton         | Hardman of Jackson    |
| Berry               | Dickson         | Harrington            |
| Booker              | Drawdy          | Hatfield              |
| Brinson of Decatur  | Edwards         | Helms                 |
| Brinson of Emanuel  | Elder           | Henderson of Turner   |
| Brown of Carroll    | Ellison         | Hendricks             |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Hill                  | Miller of Ware      | Shirley           |
| Holder of Floyd       | Milikin             | Simpson           |
| Hullender             | Moore               | Slade             |
| Huie                  | MacFarland          | Smith of Tattnell |
| Johnson of Bartow     | MacIntyre           | Stovall           |
| Johnson of Jeff Davis | McCarthy            | Strong            |
| Joiner                | McConnell           | Tarver            |
| Jones of Laurens      | McCurry             | Tippins           |
| Jones of Meriwether   | McMahan             | Tracey            |
| Jones of Mitchell     | McMichael of Butts  | Turner            |
| Keith                 | McMichael of Marion | Turnipseed        |
| Kendrick              | McWhorter           | Upshaw            |
| Kennedy               | Olive               | Vinson            |
| Kicklighter           | Paulk               | Waddell           |
| Kidd                  | Persons             | Walter            |
| Kirby                 | Pickett             | Wasden            |
| Lewis                 | Porter              | Watkins           |
| Littleton             | Proctor             | White of Screven  |
| Lord                  | Reaves              | Whiteley          |
| Lovejoy               | Redding             | Wight of Grady    |
| Martin                | Reid of Campbell    | Wood              |
| Meadows of Toombs     | Rentz               | Wright of Floyd   |
| Miller of Calhoun     | Sheppard            |                   |

Those voting in the negative were Messrs.:

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Anderson of Chatham | Goodley            | Parker of Talbot |
| Barksdale           | Harvey             | Peacock          |
| Beacham             | Heard              | Pierce           |
| Boyd                | Henderson of Irwin | Pop              |
| Burch               | Holtzelaw          | Reese            |
| Calbeck             | Howell             | Robert           |
| Cannon              | Hubbard            | Rosser           |
| Couch               | Johnson of Towns   | Simmons          |
| Daniel              | Kelley             | Smith of Gilmer  |
| Davis               | Lawrence           | Smith of Walton  |
| Edmondson           | Meadows of Telfair | Stubbs of Putnam |
| Ellis               | Most               | Tuggle           |
| Fields of Crisp     | McArthur           | William          |
| Fullbright          | McCrory            | Wohlwender       |
| Garlington          | McElreath          |                  |

Those not voting were Messrs.:

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| Bagley            | Mitchell          | Rogers            |
| Brown of Fulton   | McCutchen         | Stubbs of Thomas  |
| Griffin of Sumter | Parker of Decatur | Woodliff          |
| Middlebrooks      | Price             | Wright of Stewart |
| Mintz             | Reid of Macon     | Mr. Speaker       |

The roll call was verified and on counting the votes it was found that the ayes were 125, nays 44. The resolution was therefore adopted by substitute.

Leave of absence was granted Mr. Bagley, of Chattahoochee; Mr. Johnson, of Bartow.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

WEDNESDAY, July 13, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Carswell, of Wilkinson—

A bill to amend Section 982, Volume 2 of the Code so as to create a State Depository in the town of Gordon.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Porter, Wright and Holder, of Floyd—

A bill to amend an Act to create the City Court of Floyd county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Ford, of Worth—

A resolution to refund \$210 to J. C. Rogers as bondsman for Eddie Harris.

Mr. Fullbright, of Burke, offered the following amendment which was adopted:

To amend by striking all of said resolution after the word "that" in 6th line from the end thereof and inserting the following words: "The county authorities of Worth county be and they are hereby authorized to pay the said J. C. Rogers the sum of two hundred and ten (\$210.00) dollars out of the fund arising from the fines and forfeitures in the City Court of Sylvester, to reimburse him for the sum so paid by him on account of said bond."

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 110, nays, 0.

The resolution having received the requisite Constitutional majority was passed as amended.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to prevent the misbranding and adulteration of foods, etc

Referred to Committee on Hygiene and Sanitation.

By Mr. Rosser, of Walker—

A resolution to determine whether the Governor has the authority to call out the militia at the request of private persons.

Lie on table one day

By Messrs. Alexander, of DeKalb; Smith, of Gilmer; Butt, of Fannin—

A resolution touching the rights of certain citizens of Georgia who are litigants before the courts of Tennessee

Referred to Committee on Counties and County Matters.

By Messrs. Tuggle and Lovejoy, of Troup—

A bill to amend an Act to create a new charter for the town of Hogansville.

Referred to Committee on Corporations.

By Messrs. Tuggle and Lovejoy, of Troup—

A bill to amend an Act to authorize the town of Hogansville to issue bonds for water works, electric lights, etc.

Referred to Committee on Corporations.

By Messrs. McConnell and Simpson, of Gwinnett—

A bill to incorporate the town of Lilburn.

Referred to Committee on Corporations.

By Mr. Lawrence, of Chatham—

A bill to amend Acts relating to the City Court of Savannah.

Referred to Committee on Special Judiciary.



By Mr. Alexander, of DeKalb—

A bill to amend the charter of Lithonia.

Referred to Committee on Corporations.

By Mr. Alexander, of DeKalb—

A bill to amend Section 2166 of the Code of 1895.

Referred to Committee on Railroads.

By Messrs. Holder and Hardman, of Jackson—

A resolution to pay the estate of Jessie Carter \$60.

Referred to Committee on Pensions.

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A bill for increasing the skill and effectiveness of  
negro farmers.

Referred to Committee on General Agriculture.

By Mr. Barrett, of Stephens—

A bill to amend the charter of the town of Avalon.

Referred to Committee on Special Judiciary.

By Mr. Barrett, of Stephens—

A bill to amend the charter of the town of Martin.

Referred to Committee on Special Judiciary.

By Mr. Stubbs, of Putnam—

A bill to elect the Solicitor of the County Court of Putnam County by the people.

Referred to Committee on Special Judiciary.

By Mr. Huie, of Clayton—

A bill to repeal an Act creating the City Court of Fayetteville.

Referred to Committee on Counties and County Matters.

By Mr. Lewis, of Hancock—

A bill to amend an Act to amend an Act to create a system of Public Schools for the town of Sparta.

Referred to Committee on Education.

By Messrs. Brown, Alexander and McElreath, of  
Fulton—

A bill to pay J. F. Lynch \$1,000.

Referred to Committee on Appropriations.

By unanimous consent House Bills Nos. 584 and 585 were taken from Committee on Constitutional Amendments and referred to General Judiciary Committee, and House Resolution No. 32 was re-committed to the Committee on Public Library

House Bill No. 402 was re-committed to the Committee on Banks and Banking, by unanimous consent.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Converse, of Lowndes:—

A bill to amend an Act to incorporate the Citizens Bank of Valdosta.

The following resolutions were read, to-wit:

By Messrs. Alexander, Brown and McElreath, of Fulton—

A resolution granting the use of the House of Representatives to the Grand Lodge K. of P. of Georgia, for three days beginning on the third Wednesday in May 1911.

Adopted.

By Mr. Butt, of Fannin—

A resolution to amend Rule of the House, No. 177.

Referred to Committee on Rules.

By Mr. Fields, of Crisp—

A resolution to make House Bill No. 862 the special order for July 14th.

Referred to Committee on Rules.

By Mr. Brown, of Murray—

A resolution to make House Bill No. 204 a special order.

Referred to Committee on Rules.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters, submitted the following report.

*Mr. Speaker:*

Your Committee on Counties and County Matters, having considered the following bills, make report, to-wit:

That House Bill No. 752, to fix salary of Treasurer of Coffee County, do pass.

That Senate Bill No. 157, to require Ordinary and County Commissioners to pay costs to officers, do pass.

Respectfully submitted,

MACINTYRE,

Chairman.

July 12, 1910.

Mr. Fullbright, Chairman of Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary have had under consideration the following bills and instruct me as their Chairman to report them with the following recommendations:

House Bill No. 117, to amend Section 4646 of Code, do pass.

House Bill No. 113, to regulate granting new trials in criminal cases; do not pass.

House Bill No. 889, to incorporate the town of Wilborn; do pass.

House Bill No. 890, to amend the charter of Lavonia; do pass.

House Bill No. 897, to authorize the authorities of Campbell County to pay cost in certain cases; do pass.

House Bill No. 803, to abolish the City Court of Calhoun County; do pass as amended.

Senate Bill No. 158, to repeal an Act to incorporate the town of Crawford; do pass.

House Bill No. 740, to establish the City Court of Cuthbert; do not pass.

Senate Bill No. 180, to change the time of holding Hart Superior Court; do pass.

House Bill No. 805, to apportion the Road Fund in certain counties; do pass as amended.

Senate Bill No. 199, to change the time of holding Marion Superior Court; do pass.

House Bill No. 834, to prohibit betting on elections; do pass.

House Bill No. 843, to authorize the city of Columbus to close certain streets, etc.; do pass.

House Bill No. 898, to make larceny after trust a misdemeanor in certain cases; do not pass.

House Bill No. 336, to protect certain societies in their badges, etc.; do not pass.

House Bill No. 334, to regulate the sale of dangerous explosives; do not pass.

House Bill No. 368, to provide for election to abrogate the levy of school tax; do not pass.

House Bill No. 351, to amend the law against stealing rides on railroads; do not pass.

House Bill No. 423, to restrict the issuance of warrants in criminal cases; do not pass.

House Bill No. 372, to prohibit the purchasing of old iron, etc., from minors; do not pass.

House Bill No. 395, to provide the payment of cost in certain cases; do not pass.

House Bill No. 444, amend Section 1354 of the Code; do not pass.

House Bill No. 471, to amend the laws governing appeals and certiorari; do not pass.

Senate Bill No. 6, to prohibit giving away trading stamps; do not pass.

House Bill No. 537, amend Section 1120 of Code; do not pass.

Respectfully submitted,

FULLBRIGHT,

Chairman.

Mr Alexander, of DeKalb, Chairman of the Committee on the affairs of the Western & Atlantic Railroad, submitted the following report:

*Mr Speaker:*

Your Committee on the affairs of the Western & Atlantic Railroad, have had under consideration House Resolution No. 105, by Mr. Turnipseed, of Clay, the same relating to certain lands in Tennessee said to be held adversely to the State, and instruct me as their Chairman to report the same back to the House with the recommendation that it do pass by substitute, the substitute being herewith brought into the House.

Your Committee have also had under consideration House Bill No. 863, by Messrs. Brown, McElreath and Alexander, of Fulton, the same relating to proposed improvements to be erected on property of the State in Atlanta, and instruct me as their Chairman to report the bill back with the recommendation that 200 copies be printed for the use of the House and of the Committee and that thereupon the bill be recommitted.

HOOPER ALEXANDER,

Chairman.

Mr. Brown, Chairman of Committee on Hygiene and Sanitation, submitted the following report:



*Mr. Speaker:*

Your Committee on Hygiene and Sanitation has had under consideration House Bill No. 866; an Act to extend the work of suppression of contagious diseases of live stock in the State of Georgia, and for other purposes, and instruct me as their Chairman to report same back to the House, with a recommendation that same do pass.

GEO. BROWN,

Chairman.

Mr. Guyton, Chairman of the Committee on Military Affairs, submitted the following report:

*Mr. Speaker:*

Your Committee on Military Affairs had under consideration House Resolution No. 184, and I was instructed as their Chairman, to report the resolution back to the House with the recommendation that same do not pass.

C. T. GUYTON,

Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Corporations Committee has had under consideration the following House and Senate Bills, and request me as their Chairman to report the same back to the House with the following recommendations:

House Bill No. 854, to amend charter of Unadilla, Dooly County. Do pass.

House Bill No. 652, to incorporate city of Helena, Telfair County. Do pass.

House Bill No. 892, to amend charter of Waycross, Ware County. Do pass.

House Bill No. 899, to amend charter city of Americus, Sumter County. Do pass.

House Bill No. 900, to amend charter of city of Americus, Sumter County. Do pass.

House Bill No. 908, to amend charter of Unadilla, Dooly County. Do pass.

House Bill No. 891, to amend charter of Newnan, Coweta County. Do pass.

House Bill No. 895, to amend charter of Milltown, Berrien County. Do pass.

House Bill No. 879, to create new charter town of Luthersville, Meriwether County. Do pass.

House Bill 886, to incorporate the town of Oakhurst, DeKalb County Do pass.

House Bill No. 910, to amend charter of Powder Springs, Cobb County. Do pass

Senate Bill No 166, to establish and maintain a system of electric lights, Buena Vista. Do pass.

Senate Bill No. 167, to authorize the issue of waterworks bonds for the town of Buena Vista. Do pass.

Senate Bill No. 171, to provide for control of cemeteries in counties having population of 125,000 and over. Do pass.

Senate Bill No. 186, to incorporate the town of Uvalda, Montgomery County Do pass.

Senate Bill No. 174, to incorporate the town of Jasper, Pickens County Do pass as amended.

BUTT,

Chairman.

Mr. McFarland, Vice-Chairman of the Committee on Enrollment, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment has examined and found properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit:

An Act to amend Acts incorporating the town of Leslie, Sumter County, Georgia.

An Act to make it unlawful to run traction engines on the public roads of Thomas County.

An Act to amend an Act to create a Board of Commissioners for the County of Liberty.

Respectfully submitted,

McFARLAND,

Chairman.

On motion of Mr. Barrett, of Stephens, House Bill No. 75 was tabled.

By unanimous consent House Bill No. 766 was re-committed to the Special Judiciary Committee.

The following resolution was taken from the table by unanimous consent and adopted, to-wit:

By Mr. Slade, of Muscogee—

A resolution exonerating Mr. Hardeman, of Jefferson, and Baker, of Lumpkin, from a newspaper charge of filibustering on the Compulsory Education bill.

The following resolution was read, to-wit:

By Mr. McElreath, of Fulton—

A resolution to make House Bill No. 710 a special order.

Referred to Committee on Rules.

The following bill, a special order, was read the third time, to-wit:

By, Messrs. Johnson, of Towns, Huie, of Clayton—

A bill to amend Paragraph 1, Section 2, Article 3, of the Constitution, so as to increase the number of the Senatorial Districts of this State.

On motion of Mr. Barrett, of Stephens, the above bill was tabled.

On motion of Mr. Alexander, of DeKalb, House Bill No. 863 was recommitted to the Western & Atlantic Railroad Committee, and 200 copies were ordered printed for the use of the House.

The following communications were read:

*To the Members of the General Assembly of the  
State of Georgia at its regular session for 1910:*

At a regular meeting of the Farmers' Union, Harmony Local No. 1764, Fannin County, State of Georgia, passed the following resolutions:

(1) Resolved, That whereas, the Ducktown Sulphur, Iron and Copper Companies, located just over the line on the Tennessee side from the State of Georgia, have for many years last past, discharged upon the citizens of Fannin and adjoining counties, without cessation, poisonous fumes and gases by the operation of these mines with deadly effect to the growing crops of our fields, our forests, our orchards and our gardens, and, indeed, to every form of vegetation growing in our soil, still worse than all it destroys the productive elements of the soil, leaving it lifeless and barren and worthless to cultivation.

(2) Resolved, That whereas, this dangerous stretch of illegal and criminal outrage to our rights and property is in open violation and defiance of the law of the land, turned loose upon the citizens of this section of Georgia with unabated force and without let or hindrance carrying on its work of devastation and ruin to our homes, our property, our rights, and our liberties and all that we hold dear or make life worth the living.

(3) Resolved, That in view of these facts we ask the General Assembly of the State of Georgia at its next session, without further delay, to pass such necessary measures of relief as will forever set us free from such abuses, wanton wrongs and aggression and restore to us our homes, our rights and liberties to which we are entitled as citizens of the State of Georgia and of the United States and rights which they are in duty bound to protect and defend.

(4) Resolved, That a copy of these resolutions be sent to The Farmers' Union News, to his excellency, Joseph M. Brown, Governor of the State, and to the President of the State Senate and to the Speaker of the House of Representatives, and we earnestly insist upon the legislation asked for in the above stated case, with all confidence, believing it to be just and right and that it will be one of the greatest importance ever enacted by any legislative assembly for the State, especially for this section, where so much interest is at stake and so many rights of such vital importance are involved; we feel that it will be a righteous act in the interest and welfare of a much abused and down-trodden people of this section of the State of Georgia. All of which we respectfully submit to your earnest consideration. Read and unanimously adopted, May 21, 1910.

E. J. McCURE,

President.

HOMER L. McCURE,

Secretary-Treasurer.

ATLANTA, GA., July 7th, 1910.

*To the Honorable John N. Holder, Speaker, and  
Gentlemen of the House of Representatives.*

HONORED SIRs: We, the officers of the Georgia Poultry Association, respectfully call your attention to the following facts concerning the poultry interests of Georgia, and ask that you give this petition your careful consideration:

For years this highly important industry has received little or no attention from the State, and, while other States—those bordering on Georgia, and those in other parts of the Union, have been encouraged and aided by large appropriations of money for the establishment of schools, and even colleges where poultry breeding is taught, Georgia has never issued a Poultry Bulletin. The existence of such a deplorable state of affairs has almost paralyzed the great interest. As no poultry statistics have been published since 1898-1899, we really do not know where we stand in regard to the poultry and egg product of the State; but deem careful estimates made by poultry men and others, we are to-day drawing on Tennessee for at least 30 to 40 per cent. of the poultry and eggs consumed in the State. Now, because of our lack of statistics, comparisons with other States are of course useless, but we know that in very many of the States large sums of money are appropriated to keep schools of poultry open during the entire year, where people of all classes are now



being taught free of charge how to raise poultry and then how best to treat them so that they will produce the greatest possible number of eggs and chickens.

The Georgia Poultry Association is in possession of the history of many of these educational plants and the bulletins issued by them, which we will submit at the proper time for your examination, and which we feel quite sure, will cause every member of the Senate and of the House to vote in favor of the bill soon to be presented to you for your consideration.

After a careful examination by expert poultry men, some of them now operating large, and others of them small poultry plants, as to the cost of a complete experimental plant similar to those in successful operation in other States. We have determined to ask for the least possible amount that will be required to get the plant quickly in operation. We, therefore, respectfully ask for an appropriation of \$10,000.00 a year.

This amount, so far as we have been able to ascertain, is far less than that appropriated by any other State that has a Poultry Department in operation. This we are able to prove from documents now in our possession and which will be presented to you at the proper time.

If it is of course, gentlemen, impossible in this petition to set this important matter before you in its proper light, this will be fully set forth hereafter,

but, gentlemen, we ask that you give this highly important matter your careful and prompt attention, so that the plant can be quickly put in operation.

Respectfully,

H. G. HASTINGS, President.

M. F. MORRIS, 1st Vice-President.

JULIAN McCAMY, 2nd V-Pres., Dalton, Ga.

DR. R. B. CALLAHAN, 3rd V-Pres., East Point, Ga.

DR. W. B. HARDMAN, 4th V-Pres., Commerce, Ga.

J. M. KARWISH, Treasurer.

C. O. HARWELL, Secretary.

S. W. BACON, JR., Assistant Secretary.

ALF BERTLING, Superintendent.

W. V. ZIMMER, Chairman.

LORING BROWN,

W. R. ALLARD,

JOHN LOW SMITH,

WM. J. LLOYD,

C. H. LEDFORD,

RAINEY MILLER.

Respectfully submitted by the undersigned Committee:

JEHU G. POSTELL, Chairman.

S. W. BACON, JR.,

GEORGE B. FIFE.

UNION CITY, GA., July 12, 1910.

HON. JOHN M. HOLDER,

*Speaker House of Representatives,*

Atlanta, Ga.

DEAR SIR: We desire to express our appreciation for the action taken by the House of Representatives on the Income Tax Amendment to our Federal Constitution.

Yours respectfully,

THE FARMERS' UNION NEWS,

R. F. DUCKWORTH,

Editor.

Mr Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to provide that all property, without lawful owner, shall belong to the State.

A bill to amend Section 813, Code 1895, relative to appointment of Jury Revisers.

Also the following bill of the House with the recommendation that same do pass as amended, to-wit:

A bill to amend Section 574, Code 1895, relative to road duty in White County

Respectfully submitted,

JOS. H. HALL,

Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Senate bills, to-wit:

A bill to create the City of Cuthbert, in lieu of the Mayor and Council of Cuthbert.

A bill to amend an Act to provide for the acceptance by the State of the "Confederate Soldiers Home of Georgia."

The Senate has adopted the following Senate Resolutions, in which the concurrence of the House is respectfully asked, to wit:

A resolution approving the "Worlds Panama Exposition" and endorsing New Orleans, La., as the logical location for the same.

A resolution providing for a joint Committee of two from the Senate and three from the House of Representatives, to report to the next General Assembly, a proper place for the keeping of the States two engines, the "Texas" and the "General," and that the Governor take such steps as may be necessary for their preservation.

The following is the Committee on part of the Senate under this resolution:

Senators Longley and Rudicil.

The following communications were read:

At a regular meeting of the Farmers Union of Fannin County, and State of Georgia, held at Mineral Bluff on the 2nd day of July, 1910, having read and considered in detail the resolutions passed by the Harmony Local No. 1764, heartily indorse every allegation and complaint therein set forth, in regard to the destructive effects which the poisonous fumes and gases, discharged from the Ducktown Copper Mines are playing upon the rights and property of the people of this section of the State of Georgia.

Resolved, That in view of these facts and the dangerous situation consequent to our homes and property, by reason of these destructive elements being turned loose upon us with increasing intensity as time goes on with greater force and more damaging effects to the health and well being of our people as well as to the whole plant life of every form growing in our soils.

We desire to make known to the General Assembly of the State of Georgia, that since the passing of said resolutions by the Harmony Local, that on the 16th day of June last past, these Ducktown Iron, Sulphur and Copper Companies turned loose these poisonous fumes and gases unrestrained and without let or hinderance contaminating the atmosphere and enveloping the whole country in a dense cloud of smoke and gases hanging over and around us unbroken and unabating up to the 26th of June, causing death and destruction to every kind of plant life growing in our soil within the circuit of this dangerous foe, and doing irreparable injury to our rights and property and terrorizing to our people and destroying our homes and means of living and unless the proper authorities take immediate action for our relief from this lawless destruction to our homes and property we are soon to be left homeless.

Resolved, That the trees of our forests and all kinds of crops of our fields and gardens and fruits of our orchards, at this moment bear unalloyed testimony to the truth of these assertions and we hereby

appeal to every patriotic and liberty-loving member of the General Assembly of the great State of Georgia to pass such measures for our relief from these grievances before the adjournment of the present session as will forever obviate the necessity for our calling upon another Legislature to remove from us this enemy to our existence.

Do this and every good citizen in this smoke infected and infested region will rise in one voice of acclamation in grateful thanks and say "well done." We have paid the price for our protection under the law and we ask only this and nothing more. Grant it and we are satisfied.

Resolved, That a copy of these resolutions be sent to his excellency, Joseph M. Brown, Governor of Georgia, to the Speaker of the House of Representatives and to the Attorney-General for the State.

Read and unanimously adopted.

JOHN R. DILLS,

President.

T. W. DAVIS,

Secretary.

AMERICUS, GA., July 11, 1910.

SPEAKER JOHN HOLDER,

*House Representatives,*

Atlanta, Ga.

The following resolution introduced by W. Trox Bankston, editor of the West Point News, prevailed unanimously:

“Resolved, That it is the unanimous desire of the Weekly Press Association, in Convention assembled, at Americus, that the stigma of ignorance that is a blot on the fair name of the Empire State of the South be removed by the enactment of the Compulsory Educational Bill now pending in the Georgia Legislature and that we urge its unanimous passage by our representative body of intelligent law makers now in session in Atlanta.”

W. A. SHACKELFORD,

Secretary Georgia Weekly Press Association.

The following resolution was read, to-wit:

By Mr. Littleton, of Richmond—

A resolution to make House Bill No. 221 the special order for July 15.

Referred to Committee on Rules.



By unanimous consent the call of the roll of counties was dispensed with and the following bills were read the first time, to-wit:

By Mr. Elder, of Oconee—

A resolution to pay a pension to Mrs. Martha Crow.

Referred to Committee on Pensions.

By Mr. Fullbright, of Burke—

A bill to provide for purchase of Georgia Reports.

Referred to Committee on Special Judiciary.

By Mr. Peacock, of Pulaski—

A bill to abolish the City Court of Pulaski county

Referred to Committee on Special Judiciary.

By Messrs. Littleton, Garlington and Pierce, of Richmond—

A bill to amend an Act to authorize street railway companies, etc., to acquire by purchase or otherwise the stock and property rights of like companies.

Referred to Committee on Corporations.

By unanimous consent House Bills Nos. 63 and 75 were taken from the table and placed on the Calendar.

On motion of Mr. Anderson, of Chatham, Senate Bill No. 3, providing for biennial sessions was tabled.

The following Senate bills were read the third time and put upon their passage, to-wit:

By Mr. McWilliams, of 34th district—

A bill to allow County Boards of Education to borrow money to pay salaries of public school teachers.

The following amendment was adopted.

By Mr. Edwards, of Walton—

To amend Section 1 by adding at the end thereof the following proviso: "Provided, That no Board of Education shall have authority under this Act to borrow a sum of money greater in the aggregate than the sum to which the county may be entitled from the public school fund."

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 127, nays, 5.

The bill having received the requisite Constitutional majority was passed as amended.

Mr. Alexander asked leave of absence for the W. & A. R. R. Committee to go on inspection trip over the W. & A. R. R. which was granted.

Mr. Alexander then moved that any members of the House who desired to accompany the Committee on its tour of inspection should do so at the expense of the State and as a member of the Committee, which motion was lost.

Mr. Alexander again made the motion as stated above and Mr. Reid, of Campbell, called for the ayes and nays which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                    |
|---------------------|-----------------------|--------------------|
| Alexander of DeKalb | Bickson               | Littleton          |
| Allen               | Edmondson             | Meadows of Telfair |
| Barksdale           | Ellison               | Meadows of Toombs  |
| Baker               | Field of DeKalb       | Milikin            |
| Beacham             | Fields of Crisp       | MacIntyre          |
| Bell                | Ford                  | McConnell          |
| Berry               | Gavton                | McMahan            |
| Brinson of Decatur  | Hardeman of Jefferson | Olive              |
| Brown of Carroll    | Harrington            | Parker of Talbot   |
| Brown of Murray     | Hatfield              | Persona            |
| Calbeck             | Holtzclaw             | Pickett            |
| Chandler            | Hubbard               | Pierce             |
| Childs              | Hullender             | Popa               |
| Converso            | Johnson of Jeff Davis | Proctor            |
| Cordell             | Johnson of Towns      | Reaves             |
| Culberson           | Jones of Laurens      | Rosser             |
| Cureton             | Kendrick              | Shirley            |

|                   |            |                |
|-------------------|------------|----------------|
| Simpson           | Tracey     | Whiteley       |
| Slade             | Turnipseed | Wight of Grady |
| Smith of Tattnall | Walters    | Wood           |
| Smith of Walton   | Wasden     | Woodliff       |
| Stovall           |            |                |

Those voting in the negative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Alley               | Griffin of Twiggs   | McMichael of Butts |
| Anderson of Bullock | Hardman of Jackson  | McWhorter          |
| Anderson of Chatham | Helms               | Paulk              |
| Armistead           | Henderson of Irwin  | Porter             |
| Atkinson            | Henderson of Turner | Pritch             |
| Ault                | Hendricks           | Redding            |
| Barrett             | Hill                | Reese              |
| Booker              | Huie                | Reid of Campbell   |
| Brinson of Emanuel  | Joiner              | Robert             |
| Brown of Henry      | Jones of Meriwether | Sheppard           |
| Burch               | Keith               | Simmons            |
| Butt                | Kelley              | Smith of Gilmer    |
| Buxton              | Kidd                | Stubbs of Putnam   |
| Carswell            | Kirby               | Tarver             |
| Carter              | Lewis               | Tippins            |
| Cooke               | Lord                | Tuggle             |
| Davis               | Lovejoy             | Turner             |
| Drawdy              | Martin              | Upshaw             |
| Edwards             | Miller of Calhoun   | Vinson             |
| Elder               | Miller of Ware      | Waddell            |
| English             | Mitchell            | Watkins            |
| Evans               | Moore               | Williams           |
| Faireloth           | Moss                | Wohlwender         |
| Fullbright          | MacFarland          | Wright of Floyd    |
| Gastley             | McCrory             |                    |
| Graddick            | McCurry             |                    |

Those not voting were Messrs.:

|                     |                 |            |
|---------------------|-----------------|------------|
| Adams               | Ecyd            | Daniel     |
| Alexander of Fulton | Brown of Fulton | Ellis      |
| Atherton            | Cannon          | Fender     |
| Bagley              | Couch           | Garlington |
| Bailey              | Cowan           | Gillis     |

|                   |                     |                   |
|-------------------|---------------------|-------------------|
| Godley            | Kicklighter         | Peacock           |
| Giffin of Sumter  | Lawrence            | Reid of Macon     |
| Hall              | Middlebrooks        | Rentz             |
| Harvey            | Mintz               | Rogers            |
| Heard             | McArthur            | Strong            |
| Holder of Floyd   | McCarthy            | Stubbs of Thomas  |
| Howell            | McCutchen           | White of Screven  |
| Johnson of Bartow | McElreath           | Wright of Stewart |
| Jones of Mitchell | McMichael of Marion | M. Speaker        |
| Kennedy           | Parker of Decatur   |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 64, nays, 76. The motion was therefore lost.

On motion of Mr. Wright, of Floyd, the Chairman of the W & A. R. R. Committee was allowed to designate any member of the House to fill the place on the Committee of any member who could not go on the inspection tour.

The following Senate resolution was read, to-wit:

By Mr. Jackson, of 21st district—

A resolution to ratify an amendment to the Constitution of the United States providing for a tax on incomes.

Lie on table one day

Mr. Garlington, of Richmond, moved to adjourn which motion prevailed and the Speaker announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

THURSDAY, July 14, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Meadows, of Telfair—

A bill to amend an Act to incorporate the town of Helena.

Referred to Committee on Corporations.

By Mr. Meadows, of Telfair—

A bill to require county officers of Telfair county to give bond with some guaranty company as security

Referred to Committee on Counties and County Matters.

By Mr. Roberts, of Dodge—

A bill to amend an Act to amend an Act to create the City Court of Eastman.

Referred to Committee on Special Judiciary

By Mr. Brown, of Carroll—

A bill to amend and consolidate the Acts to incorporate the town of Bowden.

Referred to Committee on Corporations.

By Mr. Miller, of Calhoun—

A bill to amend an Act to incorporate the City of Edison.

Referred to Committee on Corporations.

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A bill to amend an Act to repeal laws to incorporate town of Manchester.

Referred to Committee on Corporations.

By Mr. Alexander, of DeKalb—

A bill to regulate the employment of minors in the messenger service.

Referred to Committee on General Judiciary.

By Messrs. McElreath and Brown, of Fulton—

A bill to amend an Act to create a new charter for Atlanta.

Referred to Committee on Special Judiciary

By Mr. Atkinson, of Morgan—

A bill to amend an Act to create a new charter for the city of Madison.

Referred to Committee on Special Judiciary

By Mr. Moss, of Cobb—

A bill to appropriate \$2,000 for the completion of the Confederate cemetery at Marietta.

Referred to Committee on Appropriations.

By Mr. Miller, of Calhoun—

A bill to amend Section 982, Volume 1, of the Code



so as to create a State Depository in the town of Edison.

Referred to Committee on Banks and Banking.

By Mr. Lewis, of Hancock—

A bill to make it unlawful for any person to publish abusive language of another in newspapers, etc.

Referred to Committee on General Judiciary.

By Mr. Moss, of Cobb—

A bill to amend an Act to amend an Act to incorporate the town of Austell.

Referred to Committee on Corporations.

By Mr. Roberts, of Dodge—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Dodge county.

Referred to Committee on Counties and County Matters.

By Mr. Miller, of Calhoun—

A bill to provide a new charter for the town of Arlington.

Referred to Committee on Corporations.

By Mr. Williams, of Madison—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Madison.

Referred to Committee on Special Judiciary

By Mr. Atkinson, of Morgan—

A bill to repeal an Act to create the County Court of Morgan county.

Referred to Committee on Special Judiciary

By Mr. Atkinson, of Morgan—

A bill to establish the City Court of Madison.

Referred to Committee on Special Judiciary

By Mr. Williams, of Madison—

A bill to repeal an Act creating the office of Commissioner of Roads and Revenues for the county of Madison.

Referred to Committee on Special Judiciary.

By Mr. Sheppard, of Sumter—

A bill to authorize the County Commissioners of

Sumter county to work public thoroughfares running through the city of Columbus.

Referred to Committee on Counties and County Matters.

By Mr. Smith, of Gilmer—

A bill to make it unlawful to cut timber on lands of another, etc.

Referred to Committee on General Judiciary.

By Mr. Moss, of Cobb—

A bill to amend an Act regulating the time that railroad charters become dormant.

Referred to Committee on Railroads.

By Mr. Moss, of Cobb—

A bill to prevent the adulteration of soft drinks.

Referred to Committee on Hygiene and Sanitation.

By unanimous consent 200 copies of Senate Bill No. 173 were ordered printed.

By unanimous consent the following bills were read the second time, to-wit:

By Mr. Pierce, of Richmond—

A bill to provide that all property without a lawful owner shall belong to the State.

By Messrs. Kirby and Couch, of Coweta—

A bill to amend an Act to create a new charter for the city of Newnan.

By Mr. Hatfield, of Coffee—

A bill to fix the salary of the Treasurer of Coffee county.

By Mr. Chandler, of Franklin—

A bill to authorize the city of Lavonia to establish and maintain a system of public schools.

By Mr. Chandler, of Franklin—

A bill to incorporate the town of Wilburn.

By Mr. Harvey, of Wilcox—

A bill to amend an Act to incorporate the town of Pineview.

By Mr. Sheppard, of Sumter—

A bill to amend an Act to amend, revise and con-

solidate Acts to incorporate the city of Americus so as to extend the corporate limits so as to exclude certain territory.

By Mr. Sheppard, of Sumter—

To amend Acts to incorporate the city of Americus relative to water and lights.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Johnson, of Jeff Davis—

A bill to amend an Act to create the City Court of Hazelhurst.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 101, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McWhorter, of Greene—

A bill to amend Section 5182 of the Code of 1895, and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 103, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the session this morning was extended for the purpose of reading House bills a first time and House and Senate bills favorably reported a second time.

By Mr. Ford, of Worth—

A bill to amend an Act to create the City Court of Sylvester.

The Committee proposed the following amendments which were adopted:

To amend by striking all after the word “except” in line 10, Section 1, and inserting “the said City Court of Sylvester.” Also

To amend caption by striking all after word “except” and insert the words “in the said City Court of Sylvester.”

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By unanimous consent House Bills Nos. 444-622 and 623 were recommitted.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bill of the House and instructed me, their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to adopt Code of Laws prepared by Jno. L. Hopkins.

Also the following bill of the Senate with instructions to request the House to have 200 copies of same printed for use of the House and this Committee.

A bill to regulate the grant of new trials.

Respectfully submitted,

JOS. H. HALL, Chairman.

Mr. McCarthy, Chairman of Committee on Labor and Labor Statistics, submitted the following report:

*Mr. Speaker:*

Your Committee on Labor and Labor Statistics have had under consideration the following bill of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to provide for a Department of Labor.

Respectfully submitted,

JOSEPH MCCARTHY, Chairman.

Mr. Chandler, Chairman of the Committee on Insurance, submitted the following report:

*Mr. Speaker:*

Your Committee on Insurance have had under consideration the following bills of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to provide a stenographer for the Insurance Department of this State.



Also the following bill of the House with recommendation that same do pass as amended.

A bill to require Fire Insurance Companies to make deposit with the State.

Also the following bills of the House with the recommendation that same do not pass.

A bill to provide for creation of corporations to do industrial life insurance business upon capital stock plan.

A bill to amend Section 2060 of the Code.

Respectfully submitted,

H. H. CHANDLER, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House and instruct me, as their Chairman, to report same back to the House with the following recommendation, to-wit:

House Bill No. 839—To amend the charter of Savannah. Do pass.

House Bill No. 840—To amend the charter of City of Savannah. Do pass.

BUTT, Chairman.

The following special appropriation bills which were made the special order for this morning were read the third time and put upon their passage, to-wit:

By Mr. Vinson, of Baldwin—

A bill to appropriate \$35,000 for the purpose of building a new college on the campus of the Georgia Normal and Industrial College at Milledgeville.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman, Mr. Alexander, of DeKalb.

After a consideration of the resolution the Committee arose and through their Chairman reported progress and asked leave to sit again.

Mr. Hall, of Bibb, moved that the House again go into the Committee of the whole and that the Committee be instructed to come to a vote at once on the above bills which motion prevailed.

The House again went into the Committee of the whole and Mr. Alexander, of DeKalb took the Chair.

After further consideration of the bill the Committee arose and through its Chairman reported the same back to the House with the recommendation that it do pass.

The previous question was called and the main question ordered.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                     |
|---------------------|--------------------|---------------------|
| Alexander of DeKalb | Cannon             | Helms               |
| Alexander of Fulton | Carswell           | Henderson of Irwin  |
| Allen               | Childs             | Henderson of Turner |
| Alley               | Converso           | Hill                |
| Anderson of Bullock | Cordell            | Holtzelaw           |
| Anderson of Chatham | Couch              | Huie                |
| Armistead           | Culberson          | Johnson of Towns    |
| Atherton            | Davis              | Joiner              |
| Atkinson            | Dickson            | Jones of Meriwether |
| Aul;                | Edmondson          | Keith               |
| Barksdale           | Edwards            | Kicklighter         |
| Bake;               | Ellis              | Kidd                |
| Barrett             | Ellison            | Kirby               |
| Booker              | English            | Lawrence            |
| Boyd                | Field of DeKalb    | Lewis               |
| Brinson of Emanuel  | Fullbright         | Littleton           |
| Brown of Carroll    | Garlington         | Martin              |
| Brown of Fulton     | Gillis             | Miller of Calhoun   |
| Burch               | Graddick           | Milikin             |
| Butt                | Griffin of Twiggs  | Mitchell            |
| Buxton              | Guyton             | Most                |
| Calbeck             | Hardman of Jackson | MacFarland          |

|                     |                 |                  |
|---------------------|-----------------|------------------|
| MacIntyre           | Pickett         | Stovall          |
| McArthur            | Pierce          | Stubbs of Putnam |
| McCarthy            | Popa            | Tarver           |
| McCrary             | Porter          | Tuggle           |
| McCurry             | Reese           | Upshaw           |
| McElreath           | Reid of Macon   | Vinson           |
| McMahan             | Robert          | Wasden           |
| McMichael of Marion | Rogers          | Watkins          |
| McWhorter           | Sheppard        | Whiteley         |
| Oliver              | Simmons         | Wight of Grady   |
| Parker of Talbot    | Slade           | Wohlwend         |
| Paulk               | Smith of Gilmer | Woodliff         |
| Persons             | Smith of Walton | Wright of Floyd  |

Those voting in the negative were Messrs:

|                    |                       |                    |
|--------------------|-----------------------|--------------------|
| Beacham            | Hall                  | McConnell          |
| Bell               | Harrington            | McMichael of Butts |
| Brinson of Decatur | Harvey                | Pricer             |
| Brown of Henry     | Hatfield              | Proctor            |
| Brown of Murray    | Heard                 | Reaves             |
| Carter             | Hullender             | Reid of Campbell   |
| Cooke              | Johnson of Bartow     | Rosser             |
| Cowan              | Johnson of Jeff Davis | Shirley            |
| Cureton            | Jones of Laurens      | Smith of Tattnall  |
| Daniel             | Kelley                | Tippins            |
| Drawdy             | Kendrick              | Tracey             |
| Elder              | Lord                  | Turnipseed         |
| Evans              | Meadows of Telfair    | Waddell            |
| Fairecloth         | Meadows of Toombs     | Walters            |
| Ford               | Miller of Ware        | White of Screven   |
| Gastley            | Moore                 | Wood               |

Those not voting were Messrs.:

|         |                       |                   |
|---------|-----------------------|-------------------|
| Adams   | Fields of Crisp       | Howell            |
| Bagley  | Godley                | Hubbard           |
| Bailey  | Giffin of Sumter      | Jones of Mitchell |
| Berry   | Hardeman of Jefferson | Kennedy           |
| Chanler | Hendricks             | Lovejoy           |
| Fender  | Holder of Floyd       | Middlebrooks      |

|                   |                  |                   |
|-------------------|------------------|-------------------|
| Minter:           | Rentz            | William           |
| McCutchen         | Simpson          | Wright of Stewart |
| Parker of Decatur | Strong           | Mr. Speaker       |
| Peacock           | Stubbs of Thomas |                   |
| Redding           | Turner           |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 105, nays, 48.

The bill having received the requisite Constitutional majority was passed.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of House and instruct me, as their Chairman, to report same back to the House as follows:

House Bill No. 913—To amend charter of Lithuania. Do pass.

House Bill No. 921—To incorporate the town of Lilburn. Do pass.

House Bill No. 923—To amend the charter of Hogansville. Do pass.

House Bill No. 924—To amend charter of Hogansville. Do pass.

House Bill No. 926—To amend Act authorizing electric, street, suburban and interurban railroad companies to acquire by purchase, lease, consolidation or merger the stock, property rights and franchises of other such companies. Do pass as amended.

House Bill No. 932—To amend charter Manchester. Do pass.

House Bill No. 933.—To amend the Acts incorporating the town of Bowden. Do pass.

House Bill No. 934.—To amend charter of town of Helena. Do pass.

House Bill No. 936—To provide a new charter for the town of Arlington. Do pass.

House Bill No. 938—To amend the Act creating the town of Edison. Do pass.

House Bill No. 941—To amend the charter of Austell, Cobb county Do pass.

House Bill No. 849—Incorporate the town of Atwater. Do pass.

BUTT, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendment of the House to the following bill of the Senate, to-wit:

A bill to allow County Boards of Education to borrow money to pay salaries of public school teachers.

The following House bills were read the first time, to-wit:

By Mr. Barrett, of Stephens—

A bill to appropriate \$11,363.37 to public building fund.

Referred to Committee on Appropriations.

By Mr. Sheppard, of Sumter—

A bill to increase the efficiency, etc., of feed-stuffs.

Referred to Committee on General Agriculture.

The following Senate bills were read the first time, to-wit:

By Mr. Irwin, of 11th district—

A bill to create the city of Cuthbert.

Referred to Committee on Special Judiciary.

By Mr. Irwin, of 11th district—

A bill to amend an Act to provide for the acceptance of the Soldiers' Home.

Referred to Committee on Pensions.

The following bills were read the second time, to-wit:

By Mr. Turnipseed, of Clay—

A resolution providing for a Commission to look into the States property in Tennessee.

By Mr. Butt, of Fannin—

A bill to amend Section 4646, Volume 2 of the Code, etc.

By Messrs. McCarthy, Barrett, Slade and others—

A bill to provide for a Department of Labor.

By Mr. Minter, of Fayette—

A bill to incorporate the town of Brooks.

By Mr. Barrett, of Stephens—

A bill to require certain fire insurance companies to make deposit with the Secretary of State.



By Mr. Ault, of Polk—

A bill to amend Section 813 of the Code of 1895.

By Mr. Miller, of Calhoun—

A bill to abolish the City Court of Calhoun county.

By Mr. Alexander, of DeKalb—

A bill to amend charter of Lithonia.

By Messrs. McConnell and Simpson, of Gwinnett—

A bill to incorporate the town of Lilburn.

By Messrs. Tuggle and Lovejoy, of Troup—

A bill to amend an Act to authorize the town of Hogansville.

By Messrs. Tuggle and Lovejoy, of Troup—

A bill to amend an Act to authorize the town of Hogansville to create and maintain a system of waterworks.

By Messrs. Littleton, Garlington and Pierce—

A bill to amend an Act to authorize electric rail-

ways, etc., to acquire by purchase, lease or otherwise the stock, etc., of similar companies.

By Mr. Allen, of Upshaw—

A bill to repeal an Act to incorporate the town of Atwater.

By Messrs. Brown, of Carroll; Lawrence, of Chatham; Jones, of Meriwether—

A bill to adopt the Code of laws prepared by Jno. L. Hopkins.

By Mr. Reid, of Campbell—

A bill to provide a stenographer for the Insurance Department.

By Mr. Reid, of Campbell—

A bill to require the public road fund in certain counties to be apportioned among the militia districts.

By Mr. Daniell, of Cobb—

A bill to make it unlawful to bet on elections.

By Mr. Lawrence, of Chatham—

A bill to authorize the registration of voters in the City of Savannah in elections for municipal bonds.

By Mr. Lawrence, of Chatham—

A bill to authorize the Mayor and Aldermen of Savannah, to require the paving, etc., of streets.

By Messrs. Slade and Wohlwender, of Muscogee—

A bill to vest in the city of Columbus title to certain lands in the said city.

By Messrs. Heard and Beacham, of Dooly—

A bill to amend the charter of the town of Unadilla.

By Mr. Reid, of Campbell—

A bill to amend the charter of the town of Fairburn.

By Mr. Hardman, of Jackson—

A bill to extend the work of suppression of contagious diseases.

By Messrs. Hardman and Holder, of Jackson—

A bill to create a new charter for the town of Statham.

By Mr. Walters, of Colquitt—

A bill to incorporate the town of Allentown.

By Messrs. Jones and Keith, of Meriwether—

A bill to create a new charter for the town of Luthersville.

By Mr. Rogers, of Randolph—

A bill to incorporate the town of Carnegie.

By Messrs. Field and Alexander, of DeKalb—

A bill to ratify the closing of Ansley street in Decatur, Ga.

By Messrs. Alexander and Field, of DeKalb—

A bill to incorporate the town of Oakhurst.

By Mr. Miller, of Ware—

A bill to amend an Act to create a new charter for the city of Waycross.

By Mr. Paulk, of Berrien—

A bill to amend an Act incorporating the town of Milltown.

By Mr. Reid, of Campbell—

A bill to authorize the officers of Campbell county to pay the legal costs due officers in misdemeanor cases.

By Mr. Alley, of White—

A bill to amend Section 574, Volume 1 of the Code.

By Messrs. Heard and Beacham—

A bill to amend an Act to incorporate the town of Unadilla.

By Messrs. Moss and Daniell, of Cobb—

A bill to amend the charter of Powder Springs.

By Messrs. Alexander and Field, of DeKalb—

A bill to re incorporate the town of Kirkwood.

By Mr. Meadows, of Telfair—

A bill to incorporate the city of Helena.

By Mr. English, of Warren—

A bill to amend Acts to incorporate the town of Camak.

The following Senate bills were read the second time, to-wit:

By Mr. Irwin, of 11th district—

A bill to require Ordinaries and County Commissioners to pay costs to officers.

By Mr. Stephens, of 30th district—

A bill to repeal an Act to incorporate the town of Crawford.

By Mr. Gordy, of 24th district—

A bill to create and maintain a system of electric lights for Buena Vista.

By Mr. Gordy, of 24th district—

A bill to amend an Act authorizing the issue of waterworks bonds by the town of Buena Vista.

By Mr. Slaton, of 35th district—

A bill to provide for control of cemeteries in certain counties.

By Mr. Day, of 41st district—

A bill to incorporate the town of Jasper.

By Mr. McCurry, of 31st district—

A bill to change the time of holding the Superior Court of Hart county.

By Mr. Calhoun, of 15th district—

A bill to incorporate the town of Uvalda.

By Mr. Gordy, of 24th district—

A bill to change the time of holding the Superior Court of Marion county

Leave of absence was granted Mr. Rentz, of Houston; Mr. Harvey, of Wilcox; Mr. Harrington, of Liberty; Mr. Pierce, of Richmond.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

## ATLANTA, GEORGIA,

FRIDAY, July 15, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Bell, of Cherokee—

A bill to amend Section 982, Volume 1 of the Code so as to create a State Depository in the town of Canton.

Referred to Committee on Banks and Banking.

By Mr. Walters, of Colquitt—

A bill to amend the charter of the town of Doerun.

Referred to Committee on Corporations.



By Mr. Moss, of Cobb—

A bill to amend an Act to provide for supersedeas of judgment of conviction in County Courts, etc.

Referred to Committee on Special Judiciary.

By Messrs. Joiner and Lord, of Washington—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Washington County.

Referred to Committee on Counties and County Matters.

By Mr. Lewis, of Hancock—

A bill to prohibit turning out live stock in stock law counties.

Referred to Committee on General Agriculture.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Messrs. Barksdale and Booker, of Wilkes —

A bill to amend an Act to create the City Court of Washington.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 100; nays, 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Godley, of Camden—

A bill to authorize the Commissioners of Camden County to issue licenses to persons conducting church festivals.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99; nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Chandler, of Franklin—

A bill to incorporate the town of Franklin.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 100; nays, 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Hardman and Holder, of Jackson—

A bill to create a new charter for the town of Statham.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 101; nays, 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Chandler, of Franklin—

A bill to amend an Act to authorize the city of Lavonia to create and maintain a system of schools.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 101; nays, 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hatfield, of Coffee—

A bill to fix the salary of the Treasurer of Coffee County.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 94; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid, of Campbell—

A bill to authorize the authorities of Campbell County to pay legal costs due officers in misdemeanor cases.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of DeKalb—

A bill to re-incorporate the town of Kirkwood.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Paulk, of Berrien—

A bill to amend an Act to incorporate town of Milltown.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 105; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Lawrence, of Chatham—

A bill to provide for registration of voters in Savannah prior to municipal elections.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Kirby and Couch, of Coweta—

A bill to amend an Act to create a new charter for city of Newnan.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 105; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Rogers, of Randolph—

A bill to incorporate the town of Carnegie.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Moss and Daniel, of Cobb—

A bill to amend the charter of the town of Powder Springs.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill havinng received the requisite Constitutional majority was passed.

By Mr. Reid, of Campbell—

A bill to amend the charter of the town of Fairburn.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Minter, of Fayette—

A bill to incorporate the town of Brooks.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Lawrence, of Chatham—

A bill to amend an Act to authorize the Mayor and Aldermen of Savannah to require grading and paving of roads and streets, etc.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 105; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Alexander and Field, of DeKalb—

A bill to incorporate the town of Oakhurst—

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 113; nays, 0.



The bill having received the requisite Constitutional majority was passed.

By Mr. Meadows, of Telfair—

A bill to incorporate the city of Helena.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Jones and Keith, of Meriwether—

A bill to create a new charter for the town of Luthersville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 106; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Ware—

A bill to amend an Act to create the City Court of Waycross.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Calhoun—

A bill to abolish the City Court of Calhoun County.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Converse, of Lowndes—

A bill to amend an Act to incorporate the Citizens Bank of Valdosta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Slade and Wohlwender, of Muscogee—

A bill to vest the title to certain lands in the city of Columbus in said city

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Allen, of Upson—

A bill to repeal an Act to incorporate the town of Atwater.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Heard and Beacham, of Dooly—

A bill to amend the charter of the town of Unadilla.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 106; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Walters, of Colquitt—

A bill to incorporate the town of Ellentown.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Field and Alexander, of DeKalb—

A bill to ratify and confirm the closing of Ansley street in Decatur, Ga.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Harvey, of Wilcox—

A bill to amend an Act to incorporate the town of Pineview.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Ware—

A bill to amend an Act to create a new charter for the city of Waycross.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 97; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Sheppard and Griffin, of Sumter—

A bill to amend an Act to amend and consolidate all Acts to incorporate the city of Americus, so as to exclude certain territory for the corporate limits.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Slade and Wholwender, of Muscogee—

A bill to amend an Act to amend and consolidate Acts to incorporate the city of Columbus, relative to Water and Light Commission.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Heard and Beacham, of Dooly—

A bill to amend an Act to incorporate the town of Unadilla.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of DeKalb—

A bill to amend the charter of the town of Lithonia.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 106; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. McConnell and Simpson, of Gwinnett—

A bill to incorporate the town of Lilburn.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Tuggle and Lovejoy, of Troup—

A bill to amend an Act to establish a new charter for the town of Hogansville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Tuggle and Lovejoy, of Troup—

A bill to create a system of water works, electric lights and sewerage, and issue bonds for said purposes.



The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Rogers, of Randolph—

A bill to prohibit the sale of near beer in Randolph County

The substitute proposed by the Committee was adopted.

The report of the Committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill the ayes were 98; nays, 7

The bill having received the requisite Constitutional majority, was passed by substitute.

By Mr. Wright, of Floyd—

A bill to prohibit betting on elections and primaries, etc., and for other purposes.

The Committee proposed to amend as follows:

To amend caption by adding after word "primary" the words "and to provide punishment therefor," also,

To amend Section 2, by striking words "and shall furthermore be disfranchised."

The report of the Committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 93; nays, 3.

The bill having received the requisite Constitutional majority, was passed as amended.

By Mr. McElreath, of Fulton—

A bill to amend an Act to provide for an Ordinary pro hac vice in cases of disqualified Ordinaries.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 94; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Brown, of Carroll—

A bill to authorize the Board of Trustees of the

4th District Agricultural College to lease certain lands.

The Committee proposed to amend by striking Section 2 and renumbering Sections which was adopted.

The favorable report as amended was agreed to.

On the passage of the bill the ayes were 99; nays, 1.

The bill having received the requisite Constitutional majority was passed as amended.

Mr. Sheppard moved that when the House adjourn it adjourn to meet again at 11 o'clock Monday morning, which motion prevailed.

The following Senate bills were read the third time and put upon their passage, to-wit:

By Mr. Calhoun, of 15th District—

A bill to incorporate the town of Uvalda.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Day, of 41st District—

A bill to incorporate the town of Jasper.

The Committee proposed the following amendment, which was adopted:

To amend by striking the words “one-half in line 3, Section 2, and insert the words “three-fourths of.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Stephens, of 30th District—

A bill to repeal an Act to incorporate the town of Crawford.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following resolutions were read to-wit:

By Mr. Butt, of Fannin—

A resolution to fix as a special order for July 20, House Resolution No. 172.

Referred to Committee on Rules.

By Mr. Peacock—

A resolution to fix House Bill No. 439 a special order for next Tuesday.

Referred to Committee on Rules.

By Mr. Johnson, of Bartow—

A resolution to fix House Bill No. 23 as a special order for July 19.

Referred to Committee on Rules.

Upon request of Mr. Alexander the following was read:

The members assigned to go with the Western & Atlantic Committee to-day, in addition to the regular members are as follows:

|                    |                     |
|--------------------|---------------------|
| Pickett,           | Miller, of Calhoun, |
| Stubbs, of Putnam, | Hatfield,           |
| Martin,            | Kidd,               |
| Kirby,             | McConnell,          |

|                      |                   |
|----------------------|-------------------|
| Kelley,              | Wasden,           |
| Culberson,           | Pope,             |
| Stovall,             | Bell,             |
| Guyton,              | Ellison,          |
| Smith of Tattnall,   | Smith, of Gilmer, |
| Tippins,             | Daniel,           |
| Jones, of Laurens,   | Dickson,          |
| Chandler,            | Williams,         |
| Reeves,              | Cordell,          |
| Meadows, of Toombs,  | Walters,          |
| Meadows, of Telfair, | Whitely,          |
| Buxton,              | Simmons.          |
| Drawdy,              |                   |

By unanimous consent the name of Mr. Simmons, of Bullock, was added to the above list.

Mr. Sheppard, of Sumter, moved that all members who desired to accompany the Committee on their tour of inspection be allowed to do so at the expense of the State, and on that motion Mr. Hall, of Bibb, called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                  |                   |
|---------------------|------------------|-------------------|
| Alexander of DeKalb | Boyd             | Culberson         |
| Alley               | Brown of Carroll | Cureton           |
| Barksdale           | Brown of Henry   | Dickson           |
| Baker               | Brown of Murray  | Fields of Crisp   |
| Barrett             | Calbeck          | Garlington        |
| Beacham             | Cannon           | Griffin of Sumter |
| Berry               | Chandler         | Guyton            |
| Booker              | Couch            | Hatfield          |

|                    |            |                 |
|--------------------|------------|-----------------|
| Helms              | MacFarland | Sheppard        |
| Howell             | Macintyre  | Simpson         |
| Johnson of Towns   | McArthur   | Slade           |
| Jones of Laurens   | McCarthy   | Smith of Walton |
| Kicklighter        | McCrory    | Turnipseed      |
| Littleton          | McMahan    | Walters         |
| Martin             | Peacock    | Wasden          |
| Meadows of Telfair | Reaves     | Wight of Grady  |
| Meadows of Toombs  | Rogers     | Woodliff        |
| Milikin            | Rosser     |                 |

Those voting in the negative were Messrs.:

|                     |                      |                     |
|---------------------|----------------------|---------------------|
| Alexander of Fulton | Graddick             | McCurry             |
| Allen               | Griffin of Twiggs    | McMichael of Butts  |
| Anderson of Bullock | Hall                 | McMichael of Marion |
| Armistead           | Hardeman of Jeff's'n | Persons             |
| Atkinson            | Hardman of Jackson   | Reese               |
| Aul;                | Heard                | Reid of Campbell    |
| Brinson of Decatur  | Henderson of Irwin   | Reid of Macon       |
| Burch               | Henderson of Turner  | Roberts             |
| Carter              | Hill                 | Shirley             |
| Childs              | Holder of Floyd      | Stubbs of Putnam    |
| Cooke               | Johnson of Bartow    | Tarver              |
| Cowan               | Joiner               | Tracey              |
| Daniel              | Jones of Meriwether  | Tuggle              |
| Davis               | Keith                | Turner              |
| Drawdy              | Kendrick             | Upshaw              |
| Edwards             | Lewis                | Vinson              |
| Elder               | Lord                 | Waddell             |
| Ellis               | Lovejoy              | Watkins             |
| Fairecloth          | Miller of Calhoun    | White of Screven    |
| Field of DeKalb     | Mitchell             | Whiteley            |
| Ford                | Moore                | Wohlwender          |
| Fullbright          | Moss                 | Wood                |
| Gastley             | McConnell            | Wright of Floyd     |

Those not voting were Messrs.:

|                     |        |                    |
|---------------------|--------|--------------------|
| Adams               | Bagley | Brinson of Emanuel |
| Anderson of Chatham | Bailey | Brown of Fulton    |
| Atherton            | Bell   | Butt               |

|            |                       |                   |
|------------|-----------------------|-------------------|
| Buxton     | Johnson of Jeff Davis | Pierce            |
| Carswell   | Jones of Mitchell     | Pop               |
| Converse   | Kelley                | Porter            |
| Cordell    | Kennedy               | Preece            |
| Edmondson  | Kidd                  | Proctor           |
| Ellison    | Kirby                 | Redding           |
| English    | Lawrence              | Rentz             |
| Evans      | Middlebrooks          | Simmons           |
| Fender     | Miller of Ware        | Smith of Gilmer   |
| Gillis     | Minter                | Smith of Tattnall |
| Godley     | McCutehen             | Stovall           |
| Harrington | McElreath             | Strong            |
| Harvey     | McWhorter             | Stubbs of Thomas  |
| Hendricks  | Olive                 | Tippins           |
| Holtzelaw  | Parker of Decatur     | William           |
| Hubbard    | Parker of Talbot      | Wright of Stewart |
| Hullender  | Paulk                 | Mr. Speaker       |
| Huie       | Pickett               |                   |

By unanimous consent the verification of the roll call was dispensed with.

On Mr. Sheppard's motion the ayes were 53; nays, 69. The motion was therefore lost.

Mr Sheppard moved that the House reconsider its action in allowing any members of the House except members of the Western & Atlantic Railroad Committee to accompany said Committee on their tour of inspection.

The Speaker held that the motion was out of order.

Mr. Edwards, of Walton, moved that the House adjourn, and on that motion Mr. Lewis, of Hancock,



called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|         |                  |                |
|---------|------------------|----------------|
| Carter  | Elder            | Milikin        |
| Cooke   | Gastley          | Macintyre      |
| Cordell | Hill             | Reaves         |
| Cureton | Jones of Laurens | Stovall        |
| Davis   | Kendrick         | Wight of Grady |
| Edwards |                  |                |

Those voting in the negative were Messrs.:

|                     |                       |                    |
|---------------------|-----------------------|--------------------|
| Alexander of DeKalb | Dickson               | Kelley             |
| Allen               | Drawdy                | Kicklighter        |
| Alley               | Ellison               | Kirby              |
| Anderson of Bullock | Fairecloth            | Lewis              |
| Armistead           | Field of DeKalb       | Littleton          |
| Atkinson            | Ford                  | Lord               |
| Aul                 | Fullbright            | Martin             |
| Barksdale           | Garlington            | Meadows of Telfair |
| Baker               | Graddick              | Meadows of Toombs  |
| Barrett             | Giffin of Sumter      | Miller of Calhoun  |
| Bell                | Griffin of Twiggs     | Mitchell           |
| Booker              | Guyton                | Moore              |
| Boyd                | Hall                  | McCarthy           |
| Brinson of Decatur  | Hardeman of Jefferson | McConnell          |
| Brown of Carroll    | Hardman of Jackson    | McCrory            |
| Brown of Henry      | Hatfield              | McElreath          |
| Brown of Murray     | Heard                 | McMahan            |
| Burch               | Helms                 | McMichael of Butts |
| Butt                | Henderson of Irwin    | McWhorter          |
| Calbeck             | Henderson of Turner   | Parker of Talbot   |
| Cannon              | Holder of Floyd       | Paulk              |
| Chandler            | Hubbard               | Persons            |
| Childs              | Hullender             | Reese              |
| Couch               | Johnson of Bartow     | Reid of Campbell   |
| Cowan               | Johnson of Towns      | Reid of Macon      |
| Culbertson          | Joiner                | Roberts            |
| Daniel              | Keith                 | Rosser             |

|                  |            |                  |
|------------------|------------|------------------|
| Sheppard         | Tarver     | Warden           |
| Shirley          | Tippins    | Watkins          |
| Simmons          | Tracey     | White of Screven |
| Simpson          | Tuggle     | Whiteley         |
| Slade            | Turner     | Wohlwender       |
| Smith of Gilmer  | Turnipseed | Wood             |
| Smith of Walton  | Upshaw     | Woodliff         |
| Strong           | Vinson     | Wright of Floyd  |
| Stubbs of Putnam | Walter     |                  |

Those not voting were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Goodley               | McCurry             |
| Alexander of Fulton | Harrington            | McCutchen           |
| Anderson of Chatham | Harvey                | McMichael of Marion |
| Atherton            | Hendricks             | Olive               |
| Bagley              | Holtzclaw             | Parker of Decatur   |
| Bailey              | Howell                | Peacock             |
| Beacham             | Huie                  | Pierce              |
| Berry               | Johnson of Jeff Davis | Pop                 |
| Brinson of Emanuel  | Jones of Meriwether   | Porter              |
| Brown of Fulton     | Jones of Mitchell     | Prie                |
| Buxton              | Kennedy               | Proctor             |
| Carswell            | Kidd                  | Redding             |
| Converse            | Lawrence              | Rent                |
| Edmondson           | Lovejoy               | Rogers              |
| Ellis               | Middlebrooks          | Smith of Tattnall   |
| English             | Miller of Ware        | Stubbs of Thomas    |
| Evans               | Minter                | Waddell             |
| Fender              | Moss                  | William             |
| Fields of Crisp     | MacFarland            | Wright of Stewart   |
| Gillis              | McArthur              | Mr. Speaker         |

The roll call was verified and the vote was as follows: Ayes, 16; nays, 107. The motion to adjourn was therefore lost.

Mr. Sheppard then moved that he be allowed to withdraw his motion to reconsider the previous action of the House in regard to granting authority

to the Chairman of the Western & Atlantic Railroad Committee to add certain names to said Committee, which motion prevailed.

Mr. Hall, of Bibb, moved that the House reconsider its action in granting permission to any members of the House other than members of the Committee on Western & Atlantic Railroad to accompany said Committee on its tour of inspection at the expense of the State, and on that motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Alexander of Fulton | Fullbright          | McMahan            |
| Allen               | Gastley             | McMichael of Butts |
| Alley               | Graddick            | McWhorter          |
| Anderson of Bullock | Griffin of Twiggs   | Porter             |
| Armistead           | Hall                | Reese              |
| Atkinson            | Hardman of Jackson  | Reid of Campbell   |
| Aul;                | Henderson of Irwin  | Reid of Macon      |
| Bake;               | Henderson of Turner | Roberts            |
| Barrett             | Hill                | Rogers             |
| Bell                | Holder of Floyd     | Simmons            |
| Boyd                | Johnson of Towns    | Simpson            |
| Brown of Henry      | Joiner              | Strong             |
| Burch               | Keith               | Stubbs of Putnam   |
| Cannon              | Kirby               | Tarver             |
| Childs              | Lewis               | Tippins            |
| Cowan               | Lord                | Tracey             |
| Davis               | Lovejoy             | Tuggle             |
| Drawdy              | Miller of Calhoun   | Turnipseed         |
| Edwards             | Mitchell            | Vinson             |
| Elder               | Moore               | Whiteley           |
| English             | Moss                | Wohlwender         |
| Ford                | MacIntyre           | Wright of Floyd    |

## Those voting in the negative were Messrs.:

|                  |                    |                  |
|------------------|--------------------|------------------|
| Barksdale        | Griffin of Sumter  | Paulk            |
| Booker           | Guyton             | Peacock          |
| Brown of Carroll | Hatfield           | Popa             |
| Brown of Murray  | Helms              | Reaves           |
| Butt             | Hubbard            | Rosse            |
| Calbeck          | Hullender          | Sheppard         |
| Carter           | Huie               | Shirley          |
| Converso         | Johnson of Bartow  | Slade            |
| Cooke            | Kendrick           | Smith of Walton  |
| Cordell          | Littleton          | Stovall          |
| Couch            | Martin             | Upshaw           |
| Culberson        | Meadows of Telfair | Walter           |
| Cureton          | Meadows of Toombs  | Wasden           |
| Daniel           | Milikin            | White of Screven |
| Dickson          | MacFarland         | Wight of Grady   |
| Ellison          | McCarthy           | Wood             |
| Field of DeKalb  | McConnell          | Woodliff         |
| Garlington       | McRory             |                  |

## Those not voting were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Fender                | Kidd                |
| Alexander of DeKalb | Fields of Crisp       | Lawrence            |
| Anderson of Chatham | Cillis                | Middlebrooks        |
| Atherton            | Goodley               | Miller of Ware      |
| Bagley              | Hardeman of Jeffs'n   | Mintz               |
| Bailey              | Harrington            | McArthur            |
| Beacham             | Harvey                | McCurry             |
| Berry               | Heard                 | McCutchen           |
| Brinson of Decatur  | Hendricks             | McElreath           |
| Brinson of Emanuel  | Holtzclaw             | McMichael of Marion |
| Brown of Fulton     | Howell                | Olive               |
| Buxton              | Johnson of Jeff Davis | Parker of Decatur   |
| Carswell            | Jones of Laurens      | Parker of Talbot    |
| Chandler            | Jones of Meriwether   | Persons             |
| Edmondson           | Jones of Mitchell     | Pickett             |
| Ellis               | Kelley                | Pierce              |
| Evans               | Kennedy               | Prie                |
| Faireloth           | Kicklighter           | Proctor             |

|                   |                  |                   |
|-------------------|------------------|-------------------|
| Redding           | Stubbs of Thomas | William           |
| Rentz             | Turner           | Wright of Stewart |
| Smith of Gilmer   | Waddell          | Mr. Speaker       |
| Smith of Tattnall | Watkins          |                   |

The roll call was verified and it was found on counting the votes cast that the ayes were 66; nays, 53. The motion to reconsider the action of the House as above stated was therefore carried.

On motion of Mr. Butt, of Fannin, the House adjourned and the business for which the session was extended was taken up.

The following announcement was read at the request of Mr. Alexander, of DeKalb:

*Mr. Speaker:*

Being obliged to leave the hall to arrange for the train to Chattanooga, I will thank you to invite all members whose names may be stricken from the list to go as my guests.

Yours respectfully,

HOOVER ALEXANDER.

The following bills were read the first time, to-wit:

By Mr. Moss, of Cobb—

A bill to amend an Act to authorize the city of Marietta to issue bonds for water works.

Referred to Committee on Special Judiciary.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a new charter for Marietta.

Referred to Committee on Special Judiciary.

By Mr. Moss, of Cobb—

A bill to authorize an election held in the city of Marietta to determine whether bonds shall be issued for sewerage purposes, etc.

Referred to Committee on Special Judiciary.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a new charter for Marietta so as to declare the rights of the corporation.

Referred to Committee on Special Judiciary.

By Mr. Moss, of Cobb—

A bill to authorize an election in Marietta to determine whether bonds shall be issued for water works.

Referred to Committee on Special Judiciary.

By Messrs. Baker, of Lumpkin; Burch, of Laurens,  
Lewis, of Hancock—

A resolution to pay C. B. Weatherly for work done as stenographer to certain Committee.

Referred to Committee on Appropriations.

The following bills were read the second time, to-wit:

By Messrs. Alexander, Brown and McElreath, of  
Fulton —

A bill to amend an Act to repeal all laws to incorporate the city of Manchester.

By Mr. Brown, of Carroll—

A bill to amend and consolidate all laws to incorporate the town of Bowden.

By Mr. Moss, of Cobb—

A bill to amend an Act to incorporate town of Austell.

By Mr. Miller, of Calhoun—

A bill to provide a new charter for the town of Arlington.

By Mr. Meadows, of Telfair—

A bill to amend an Act to incorporate the town of Helena.

By Mr. Miller, of Calhoun—

A bill to incorporate the city of Edison.

Leave of absence was granted Mr. McWhorter, of Greene.

The Speaker then announced the House adjourned until 11 o'clock Monday morning.



ATLANTA, GEORGIA,

MONDAY, July 18, 1910.

The House met pursuant to adjournment at 11 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

By unanimous consent the roll call and the reading of the Journal of Friday's proceedings was dispensed with.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendment of the House to the following bill of the Senate, to-wit:

A bill to incorporate the town of Jasper, in the county of Pickens.

The Senate has passed by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to amend an Act incorporating the city of Union Point.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to repeal an Act to incorporate the town of Roberta, in the county of Crawford.

A bill to incorporate the city of Roberta, in the county of Crawford.

A bill to incorporate the city of Crawford, in the county of Oglethorpe.

A bill to promote the public health by leveling and ditching wet, swamp, and overflowed lands.

Mr. McCarthy, of Chatham, gave notice that at the proper time he would move to reconsider the action of the House in passing on last Friday, House Bill No. 839.

By unanimous consent the following bills were read the first time, to-wit:

By Messrs. Fullbright, of Burke, Garlington, of Richmond—

A bill to amend Section 2279 of the Code of 1895, relative to common carriers.

Referred to Committee on Railroads.

By Mr. Tracy, of Webster—

A bill to fix the salary of the Treasurer of Webster County

Referred to Committee on Counties and County Matters.

By Messrs. Lawrence, Anderson and McCarthy, of Chatham, et al—

A bill proposing an amendment to the Constitution in reference to salaries of Superior Court Judges of certain counties.

Referred to Committee on Constitutional Amendments.

By Messrs. Kirby and Couch, of Coweta—

A bill to establish a system of public schools in Senoia.

Referred to Committee on Corporations.

By Mr. Pierce, of Richmond—

A bill to amend Section 60, Volume 3, of the Code, by defining the various degrees of murder.

Referred to Committee on General Judiciary

By Mr. Pierce, of Richmond—

A bill to amend Section 63, Volume 3, of the Code of 1895, relative to punishment for murder.

Referred to Committee on General Judiciary.

By Mr. Ford, of Worth—

A bill to regulate the butchering of cattle in Worth County.

Referred to Committee on Counties and County Matters.

By Mr. Pierce, of Richmond—

A bill to amend Section 3250, Volume 2, of the Code, relative to pay of County Surveyors.

Referred to Committee on Counties and County Matters.

By Mr. Pierce, of Richmond—

A bill to amend Section 4708, Volume 2, of the Code, relative to process of garnishment.

Referred to Committee on General Judiciary

By Mr. Paulk, of Berrien—

A bill to amend an Act to establish the City Court of Nashville.

Referred to Committee on Special Judiciary.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Alexander, of DeKalb—

A bill to regulate the employment of minors in the messenger service.

The above bill was taken from the General Judiciary Committee and re-referred to the Committee on Labor and Labor Statistics.

By unanimous consent House Bills Nos. 31, 32, 33, 36, 38 were taken from the table and placed on the Calendar.

The following resolutions were read, to-wit:

By Messrs. Stovall and McElreath—

A resolution to fix as a special order House Bill No. 380.

Referred to Committee on Rules.

By Mr. Brown, of Carroll—

A resolution to fix House Bill No. 741 the special order for next Wednesday.

Referred to Committee on Rules.

Mr. Anderson, of Chatham, Vice-Chairman of the Committee on Rules, submitted a report of that Committee, which was read:

The recommendations of the committee in regards to House Resolution No. 188 and House Resolution No. 214, was adopted.

Mr. Sheppard, of Sumter, then moved that the remaining recommendations of the Committee, together with the resolutions be re-committed to the Committee on Rules, with the recommendation that said Committee consider the whole Calendar and report as special orders such bills, etc., as are of the greatest interest to the State, which motion prevailed.

Mr McCarthy, of Chatham, moved to re-consider the action of the House in passing House Bill No. 839.

Mr. Anderson, of Chatham, moved that in the absence of the author of the bill the motion go over as a special order for Wednesday, July 20, immediately after the confirmation of the Journal, which motion prevailed.

Mr. Reid, of Campbell, Chairman of the Ways and Means Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration House Bill No. 772, by Messrs. Reid, of Campbell, Ellis, of Bibb, Alexander, of DeKalb and Hardman, of Jackson, being a bill to be entitled An Act to provide for State and County Boards of Tax Returns and Valuations; to provide the powers and duties of said Boards; to provide for full and adequate returns of property, and for equal valuations thereof for taxation, and for other purposes, and they instruct me to report the same back to the House with the recommendation that the same do pass.

Respectfully submitted,

C. S. REID, Chairman.

Mr Fullbright, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills of the House and instruct me as their Chairman, to report them as follows:

House Bill No. 859—To authorize County Commissioners of Camden County to grant certain license. Do pass.

House Bill No. 451—To amend Section 3149 of Code. Do pass by substitute.

House Bill No. 922—To provide for election of Solicitor of County Court of Putnam County. Do pass as amended.

House Bill No. 915—To amend the charter of Avalon. Do pass.

House Bill No. 916—To amend charter of Martin. Do pass as amended.

House Bill No. 807—To abolish City Court of Newton. Do pass as amended.

House Bill No. 943—To amend the charter of the city of Atlanta. Do pass.

House Bill No. 444—To elect County Boards of Education by vote of the people. Do pass.



House Bill No. 389—To amend charter of East Point. Do pass.

House Bill No. 272—To cede certain lands in Walker County to United States. Do pass.

Respectfully submitted,

H. J. FULLBRIGHT, Chairman.

Mr. Jones, of Meriwether, Chairman of Committee on Appropriations, submitted the following report:

*Mr Speaker:*

Your Committee on Appropriations have had under consideration the following bills of the House, and instructed me, their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to appropriate \$10,000.00 to the Georgia Experiment Station.

Also the following resolutions of the House with the recommendation that same to pass as amended, to-wit:

A resolution to refund \$50.00 to Jno. D. Walker, et al.

Also the following resolution of the House with the recommendation that same do pass, to-wit:

A resolution to refund \$50.00 to J. R. Hubbard, et al.

Also the following resolutions of the House with the recommendation that same do not pass, to-wit:

A resolution to appropriate a certain amount of money to Will Kelly for over-time while in the Penitentiary.

Also the following bill of the House with the recommendation that the author be permitted to withdraw same, to-wit:

A bill to appropriate \$15,000.00 to Georgia Experiment Station.

JONES, of Meriwether, Chairman.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters, having considered the following, report as follows, to-wit:

That,

House Resolution No. 228.—Do pass.

House Bill No. 874.—Do pass.

House Bill No. 918 —Do pass.

House Bill No. 884.—Do not pass.

House Bill No. 885.—Do not pass.

Respectfully submitted,

MACINTYRE, Chairman.

Mr. McMichael, Chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration certain bills and instruct me as its Chairman to submit the following report:

House Bill No. 379—Do not pass.

House Bill No. 279—Do not pass.

House Bill No. 224—Do not pass.

House Bill No. 919—Do pass.

House Bill No. 911—Do pass.

House Bill No. 750—Do pass.

Respectfully submitted,

E. H. McMICHAEL, Chairman.

Mr. Heard, Chairman of the Committee on Banks and Banking, submitted the following report:

*Mr. Speaker:*

Your Committee on Banks and Banking having had under consideration House Bill No. 5, 953 and 937 and have instructed me, as their Chairman, to report same with recommendation that they do pass.

HEARD, Chairman.

Mr. Garlington, Chairman of Committee on Game and Fish submitted the following report:

*Mr. Speaker:*

Your Committee on Game and Fish have had under consideration Senate Bill No. 7, relating to the protection of game, animals and game birds, and recommend that the same do pass as amended.

GARLINGTON, Chairman.

*Mr. Speaker:*

Your Committee on Game and Fish have had under consideration House Bill No. 850, entitled an Act to prohibit shooting, trapping, etc., partridges, doves, etc., in Carroll county and report the same with the recommendation that it do pass.

Also House Bill No. 723—An Act to prevent the catching of shad and other fish with drift nets. Do pass by substitute.

GARLINGTON, Chairman.

July 14, 1910.

Mr. Barrett, Chairman of the Committee on Penitentiary, submitted the following report:

*Mr. Speaker:*

Your Committee on Penitentiary has had under consideration the following bills and instructs me, as Chairman, to report them with the recommendation indicated:

House Bill No. 787 A bill providing for increase in salary of members of Prison Commission. Do pass.

House Bill No. 904—A bill amending an Act authorizing the establishment and use of farms as places of confinement, providing for the working of certain prisoners on public works. Do pass.

FERMOR BARRETT, Chairman.

Mr. Parker, Chairman of the Committee on Railroads, submitted the following report:

*Mr. Speaker:*

Your Committee on Railroads having had under consideration House Bill No. 940 instructs me, as Chairman to report same back with the recommendation that it do pass.

W. M. PARKER, Chairman.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following House bill, to-wit:

A bill to amend an Act establishing the City Court of Greenville.

Upon recommendation of the Committee on Appropriations the author was allowed to withdraw House Bill No. 476.

The following resolutions were read, to-wit:

By Mr. Stovall, of Elbert—

A resolution to make House Bill No. 299 a special order.

Referred to Committee on Rules.

By Mr. Tarver, of Whitfield—

A resolution to fix House Bill No. 63 a special order.

Referred to Committee on Rules.

By unanimous consent the session was extended for the purpose of reading House bills first time Senate bills first time and all bills favorably reported a second time.

By unanimous consent House Bill No. 426 was taken from the table and placed on the Calendar.

The following resolutions were read, to-wit:

By Mr. Garlington, of Richmond—

A resolution to make Senate Bill No. 7 a special order.

Referred to Committee on Rules.

By Messrs. Faircloth and Lewis:

A resolution to make House Bill No. 794 a special order.

Referred to Committee on Rules.

Under the head of special orders the following resolutions were read the third time and put upon their passage, to-wit:

By Mr. McMahan, of Clarke—

A resolution to appropriate \$15,000 to the State University of Georgia for the purpose of erecting a heating plant on the campus of the State University.

The Speaker resolved the House into a Committee of the whole and designated as Chairman Mr. McElreath, of Fulton.

After a consideration of the resolution the Committee arose and through their Chairman reported progress and asked leave to sit again.

On motion of Mr. McMichael the House adjourned and the following business was taken up in accordance with the previous action of the House.

The following Senate bills were read the first time, to-wit:

By Mr. Stevens, of 30th district—

A bill to incorporate the city of Crawford.

Referred to Committee on Corporations.

By Mr. Mathews, of 23d district—

A bill to repeal an Act to incorporate the town of Roberta.

Referred to Committee on Corporations.



By Mr. Mathews, of 23d district—

A bill to incorporate the city of Roberta.

Referred to Committee on Corporations.

By Mr. Akin, of 4th district—

A bill to promote public health by ditching and draining swampy places.

Referred to Committee on Special Judiciary.

The following bills were read the second time, to-wit:

By Mr. Jones, of Meriwether—

A bill to amend an Act to provide for the salary of stenographer of State Bank Examiner.

By Mr. Boyd, of Spalding—

A bill to appropriate \$10,000 to Georgia Experiment Station.

By Mr. Hall, of Bibb—

A bill to provide for assessment of property of which the owners are required by law to make returns to Comptroller-General.

By Messrs. Alexander, Brown and McElreath of  
Fulton—

A resolution to pay the heirs of Sherman J. Sims.

By Mr. Stubbs, of Putnam—

A resolution to refund money to John D. Walker,  
et al., paid for charter.

By Mr. Jones, of Meriwether—

A resolution to appropriate money for renovating  
State Library.

By Mr. Hubbard, of Dawson—

A resolution to refund money to J. R. Hubbard,  
et al., paid for charter.

By Messrs. McElreath, Brown and Alexander, of  
Fulton—

A bill to appropriate \$500 to reimburse the Fre- /  
undschofts-bund.

By Mr. Bell, of Cherokee—

A bill to amend Section 982, Volume 1 of Code  
so as to add Canton to list of State depositories.

By Mr. Alexander, of DeKalb—

A resolution touching the rights of citizens of Georgia who are litigants before the courts of Tennessee.

By Mr. Rosser, of Walker—

A bill to cede certain lands in Walker county to United States Government.

By Mr. McElreath, of Fulton—

A bill to amend an Act to provide a new charter for West Point.

By Mr. Lewis, of Hancock—

A bill to amend Section 1354, Volume 1 of the Code.

By Mr. Lewis, of Hancock—

A bill to amend Section 3149 of the Code.

By Mr. Harrington, of Liberty—

A bill to provide for the protection of fish.

By Messrs. Lord and Joiner, of Washington—

A bill to incorporate the Tennille School District.

By Mr. Alexander, of DeKalb, et al.

A bill to provide for a Board of State and County Tax returns.

By Mr. Kidd, of Baker—

A bill to abolish the City Court of Newton.

By Mr. Brown, of Carroll—

A bill to prohibit the shooting of game birds in Carroll county for two years.

By Mr. English, of Warren—

A bill to amend Act to create Board of Commissioners for Warren county.

By Messrs. Anderson, Lawrence and McCarthy—

A bill to amend an Act authorizing the establishment of farms as places of confinement for certain prisoners.

By Messrs. Moss and Daniel, of Cobb—

A bill to create a system of public schools for Powder Springs.

By Mr. Barrett, of Stephens—

A bill to amend the charter for the town of Avalon.

By Mr. Barrett, of Stephens—

A bill to amend the charter of the town of Martin.

By Mr. Huie, of Clayton—

A bill to repeal an Act creating the City Court of Fayetteville.

By Mr. Lewis, of Hancock—

A bill to amend an Act to amend an Act to establish public schools for town of Sparta.

By Mr. Stubbs, of Putnam—

A bill to provide for electing the Solicitor of the County Court of Putnam county by the people.

By Mr. Miller, of Calhoun—

A bill to amend Section 982, Volume 1 of the Code so as to add City of Edison to list of State depositories.

By Mr. Moss, of Cobb—

A bill to amend an Act regulating the time that Railroad charters become dormant.

By Messrs. McElreath and Brown, of Fulton—

A bill to amend an Act to create new charter for Atlanta.

Leave of absence was granted Mr. Resse, of Glynn; Mr. Watkins, of Carroll.

The Speaker then announced the House adjourned until 9:30 tomorrow morning.

ATLANTA, GEORGIA,

TUESDAY, July 19, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent the following bill was read the second time and recommitted, to-wit:

By Mr. Hardeman, of Jefferson—

A bill to amend an Act governing primary elections.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Stubbs, of Putnam—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Putnam Co.

Referred to Committee on Counties and County Matters.

By Mr. Hullender, of Catoosa—

A bill to repeal an Act to incorporate the town of Boynton.

Referred to Committee on Corporations.

By Mr. Wood, of Banks—

A bill to create a Board of County Commissioners for the county of Banks.

Referred to Committee on Counties and County Matters.

The following resolutions were read, to-wit:

By Mr. Alley, of White—

A resolution to make House Bill No. 383 a special order.

Referred to Committee on Rules.

By Mr. McCarthy, of Chatham—

A resolution to fix as a special order House Bill No. 434.

Referred to Committee on Rules.



By Messrs. Johnson and Price, of Bartow—

A resolution to make House Bill No. 754 a special order.

Referred to Committee on Rules.

By Messrs. Alexander and Field, of DeKalb—

A resolution to fix House Bill No. 421 as a special order.

Referred to Committee on Rules.

By Mr. Alexander, of Fulton—

A resolution to fix as a special order House Bills Nos. 139 and 506 as special orders.

Referred to Committee on Rules.

By unanimous consent the following bills were read the second time and recommitted, to-wit:

By Mr. Lewis, of Hancock—

A bill to make it unlawful to publish opprobrious words against another.

By Mr. Huie, of Clayton—

A bill to repeal Act creating City Court of Fayetteville.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Messrs. Lord and Joiner, of Washington—

A bill to incorporate the Tennille School District.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Brown, of Carroll—

A bill for the protection of game in Carroll Co.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 114, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. English, of Warren—

A bill to amend, etc., the laws to incorporate the town of Camak.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 114, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. English, of Warren—

A bill to amend an Act to create a Board of Commissioners for the county of Warren.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 118, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Stubbs, of Putnam—

A bill to provide for the election of the Solicitor of the County Court of Putnam county by the people.

The Committee proposed to amend Section 1 of the bill by striking the words “a majority of” in the fifth line thereof which was adopted.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By unanimous consent the following Senate bill was read the second time and recommitted, to-wit:

By Mr. Stevens, of 30th district—

A bill to incorporate the city of Crawford in the county of Oglethorpe.

By unanimous consent House Bill No. 565 was tabled.

The following resolutions were read, to-wit:

By Mr. Barrett, of Stephens—

A resolution to make Senate Bill No. 87 the special order for July 26.

Referred to Committee on Rules.

By Mr. Reid, of Campbell—

A resolution to make House Bill No. 792 a special order.

Referred to Committee on Rules.

By Messrs. Brown and McElreath, of Fulton—

A resolution to make House Bill No. 943 a special order.

Referred to Committee on Rules.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Henderson, of Turner—

A bill to amend an Act to establish a system of public schools for the town of Ocilla.

Referred to Committee on Education.

By Mr. Rosser, of Walker—

A bill to amend the charter of the city of Rossville.

Referred to Committee on Corporations.

By Mr. Redding, of Pike—

A bill to create the City Court of Barnesville.

Referred to Committee on Special Judiciary.

By Mr. Martin, of Lee—

A bill to abolish the City Court of Leesburg.

Referred to Committee on Special Judiciary.

By unanimous consent the following bill was read the third time, to-wit:

By Messrs. Johnson and Price, of Bartow—

A bill to require applicants for pardons, etc., to give notice by publication of application of same.

On motion of Mr. Hall, of Bibb, the bill was re-committed to the Penitentiary Committee.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following bill of the House and instruct me, as their Chairman, to report same back to the House with the recommendation that same do pass by substitute, to-wit:

A bill to prevent the procuring of females for immoral purposes.

Also a resolution of the House with the recommendation that same do pass as amended, to-wit:

A resolution providing for a commission to revise the judicial system.

Also the following bill of the Senate with the recommendation that same do pass, to-wit:

A bill to make wife or husband a competent witness in cases of bigamy.

Respectfully submitted,

JOS. H. HALL, Chairman.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr Speaker:*

Your Committee on Constitutional Amendments has had under consideration the following bills and have authorized me, as their Chairman, to make the following report thereon:

House Bill No. 877—Do not pass.

House Bill No. 846 -Do pass.

PERSONS, Chairman.

July 19th, 1910.

The following resolution which was up for consideration when the regular hour of adjournment arrived on yesterday was taken up under head of unfinished business for further consideration, to-wit:

By Mr. McMahan, of Clarke—

A resolution to appropriate \$15,000 for the purpose of erecting a steam heating plant for the State University.

The Speaker resolved the House into a Committee of the whole and Mr. McElreath, of Fulton, who acted as Chairman yesterday resumed the Chair.

After further consideration of the resolution the Committee arose and through its Chairman reported progress and asked leave to sit again.

Mr. Hardeman, of Jefferson, moved that the House again resolve itself into a Committee of the whole and that the Committee come to a vote on the bill, substitute and amendments in five minutes which motion prevailed.

The House again resolved itself in a Committee of the whole and Mr. McElreath resumed the chair.

After considering the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do not pass.



Mr. Anderson, of Chatham, moved to disagree to the unfavorable report of the Committee and on that motion the previous question was called and the main question ordered.

On the motion of Mr. Anderson, Mr. Hall, of Bibb, called the ayes and nays, which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                  |
|---------------------|---------------------|------------------|
| Alexander of DeKalb | Gillis              | McWhorter        |
| Alexander of Fulton | Godley              | Persons          |
| Allen               | Hardman of Jackson  | Pickett          |
| Anderson of Bullock | Henderson of Irwin  | Pierce           |
| Anderson of Chatham | Holtzelaw           | Porter           |
| Armistead           | Huie                | Reid of Campbell |
| Atkinson            | Jones of Meriwether | Roberts          |
| Barksdale           | Keith               | Shirley          |
| Baker               | Kirby               | Slade            |
| Barrett             | Lawrence            | Smith of Gilmer  |
| Boyd                | Lewis               | Smith of Walton  |
| Brinson of Emanuel  | Littleton           | Stubbs of Putnam |
| Brown of Carroll    | Lovejoy             | Stubbs of Thomas |
| Brown of Fulton     | Martin              | Tarver           |
| Burch               | Milikin             | Tuggle           |
| Buxton              | Moss                | Upshaw           |
| Culberson           | MacFarland          | Vinson           |
| Cureton             | MacIntyre           | William          |
| Davis               | McCarthy            | Wohlwender       |
| Edwards             | McCrory             | Wright of Floyd  |
| Fullbright          | McElreath           |                  |
| Garlington          | McMahan             |                  |

Those voting in the negative were Messrs.:

|          |         |                 |
|----------|---------|-----------------|
| Alley    | Beacham | Booker          |
| Atherton | Bell    | Brown of Henry  |
| Aul;     | Berry   | Brown of Murray |

|                       |                       |                     |
|-----------------------|-----------------------|---------------------|
| Cannon                | Helms                 | McCutchen           |
| Carswell              | Henderson of Turner   | McMichael of Butts  |
| Carter                | Hendricks             | McMichael of Marion |
| Childs                | Hill                  | Parker of Decatur   |
| Converso              | Holder of Floyd       | Parker of Talbot    |
| Cooke                 | Howell                | Pop                 |
| Couch                 | Hubbard               | Prie                |
| Cowan                 | Hullender             | Proctor             |
| Daniel                | Johnson of Bartow     | Reaves              |
| Dickson               | Johnson of Jeff Davis | Redding             |
| Drawdy                | Johnson of Towns      | Reid of Macon       |
| Edmondson             | Joiner                | Roger               |
| Eider                 | Jones of Laurens      | Rosse               |
| Ellison               | Kelley                | Sheppard            |
| English               | Kendrick              | Simmons             |
| Evans                 | Kicklighter           | Simpson             |
| Fields of Crisp       | Kidd                  | Stovall             |
| Ford                  | Lord                  | Strong              |
| Gastley               | Meadows of Telfair    | Tippins             |
| Graddick              | Meadows of Toombs     | Tracey              |
| Guyton                | Miller of Calhoun     | Turner              |
| Hall                  | Miller of Ware        | Walters             |
| Hardeman of Jefferson | Mitchell              | Wasden              |
| Harvey                | Moore                 | Whiteley            |
| Hatfield              | McConnell             | Wight of Grady      |
| Heard                 | McCurry               | Wood                |

### Those not voting were Messrs:

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Adams              | Field of DeKalb   | Peacock           |
| Bagley             | Griffin of Sumter | Reese             |
| Bailey             | Griffin of Twiggs | Rentz             |
| Brinson of Decatur | Harrington        | Smith of Tattnall |
| Butt               | Jones of Mitchell | Turnipsed         |
| Calbeck            | Kennedy           | Waddell           |
| Chandler           | Middlebrooks      | Watkins           |
| Cordell            | Minter            | White of Screven  |
| Ellis              | McArthur          | Woodliff          |
| Faircloth          | Olive             | Wright of Stewart |
| Fender             | Paulk             | Mr. Speaker       |

The roll call was verified and on counting the votes cast it was found that the ayes were 64, nays, 87. The motion was therefore lost.

Mr. Barrett, of Stephens, moved that the bill be tabled, which motion was lost.

The unfavorable report of the Committee was agreed to and the resolution was lost.

Mr. Hardman gave notice that at the proper time he would move to reconsider the action of the House in agreeing to the unfavorable report of the Committee.

The following resolutions were read, to-wit:

By Mr. Alley, of White—

A resolution to make House Bill No. 401 a special order.

Referred to Committee on Rules.

By Mr. Heard, of Dooly—

A resolution to make House Bill No. 404 a special order.

Referred to Committee on Rules.

By Mr. Drawdy, of Clinch—

A resolution to make House Bill 722 a special order.

Referred to Committee on Rules.

By Messrs. Brown, McElreath and Alexander, of Fulton—

A resolution providing for a joint session on some day to be designated by the Committee on Rules to hear an address by Senator-elect Sanders of the State of Louisiana.

Referred to Committee on Rules.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Senate resolution, to-wit:

A resolution for the relief of J. C. Powell, J. M. Kincaid, A. J. Ballew, J. A. Freeman and A. Beaver, of Fannin county, sureties on the bail bond of Poly Beaver.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to repeal an Act to create a Board of Roads and Revenues for the county of Cherokee.

Also a bill to amend an Act to establish the City Court of Douglas, in the county of Coffee.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to amend the charter of the town of White Plains, in the county of Greene.

A bill to amend the charter of the city of Sparta.

A bill to prohibit the exhibition of moving pictures representing any prize fight between members of different races.

A bill to provide for the management of the Judicial Circuits of Georgia.

The next special order was the following resolution which was read the third time and put upon its passage, to-wit:

By Messrs. Alexander, Brown and McElreath of  
Fulton—

A resolution to pay the heirs of Sherman J. Sims for right of way taken by the Northeastern Railroad.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman Mr. Persons, of Monroe.

After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The hour of adjournment having arrived the above bill was carried over as unfinished business.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

WEDNESDAY, July 20, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

Mr McCarthy, of Chatham, asked unanimous consent to withdraw his notice of a motion to reconsider the action of the House in passing House Bill No. 839 which was granted.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Ault, of Polk—

A resolution to make House Bill No. 736 a special order.

Referred to Committee on Rules.

By Mr. Chandler, of Franklin—

A bill to repeal Act to create the office of Commissioner of Roads and Revenues for Franklin county.

Referred to Committee on Special Judiciary

By Mr. Woodliff, of Forsyth—

A bill to amend Acts to incorporate the town of Cumming.

Referred to Committee on Corporations.

By Mr. Wight, of Grady—

A bill to incorporate the town of Pine Park.

Referred to Committee on Corporations.

By Messrs. Alexander, Brown and McElreath, of Fulton—

A bill to amend an Act to elect County School Commissioners by the people.

Referred to Committee on Education.

By Mr. Garlington, of Richmond—

A bill to amend Section 1496 of the Political Code of 1895.

Referred to Committee on Hygiene and Sanitation.



By Mr. Wasden, of Charlton—

A bill to amend the County Court Act so far as it relates to the county of Charlton.

Referred to Committee on Special Judiciary

By Messrs. McMichael, of Marion; Barrett, of Stephens—

A bill to provide for local elections to determine the question of local taxation for public schools.

Referred to Committee on Education.

By Messrs. Sheppard and Griffin, of Sumter—

A bill to appropriate \$290.97 to the department of Agriculture.

Referred to Committee on Appropriations.

By Mr. Jones, of Meriwether—

A bill to amend Paragraph 3, Section 2, Article 5 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. White, of Screven—

A bill to provide for the appointment of an assistant to the Pension Commissioner.

Referred to Committee on Pensions.

By Mr. Edmondson, of Chattooga—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Chattooga county.

Referred to Committee on Counties and County Matters.

By Mr. Rosser, of Walker—

A resolution inquiring of the Governor if the Chief Executive has power to call upon the State militia at the request of private persons, etc.

The above resolution was read the second time and passed. Ayes, 82; nays, 12.

The following resolution was read, to-wit:

By Mr. Baker, of Lumpkin—

A resolution to make House Bill No. 192 a special order.

Referred to Committee on Rules.

By Mr. Wight, of Grady—

A resolution to make House Bill No. 866 a special order.

Referred to Committee on Rules.

By Mr. White, of Screven—

A resolution to make House Bill No. 225 a special order.

Referred to Committee on Rules.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. Alley, of White—

A bill to amend Section 574, Volume 1 of the Code, relative to persons who are subject to road duty

The Committee proposed the following amendment which was adopted, to-wit:

To amend by striking all of caption and Section 1, and inserting the following:

#### A BILL

To be entitled an Act to fix the amount of commutation tax to be paid in lieu of road work as pro-

vided in Section 574, Volume 1 of the Code, 1895, relating to road duties of citizens and commutation tax at not exceeding \$200 in such counties of this State as have between 5900 and 5925 inhabitants; to provide for the collection and expenditure of the same in such counties, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act the commutation tax to be collected in lieu of road work as provided for in Section 574, Volume 1, Code of 1895, relating to road duties of citizens and commutation tax may be two dollars per diem or less in such counties of this State as have a population of between 5900 and 5925 inhabitants according to the United States Census of 1900." Also

To amend by striking "five hundred dollars" in Section 3 and inserting "two hundred dollars."

The report of the Committee which was favorable to the passage of the bill as amended, was agreed to.

Mr. Tuggle, of Troup, moved that the bill be tabled.

No quorum having voted on the above motion Mr. Hall, of Bibb, asked for a call of the roll of the House and the Speaker ordered the same and the following members answered to their names.

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Godley                | McCurry             |
| Alexander of DeKalb | Graddick              | McCutchen           |
| Alexander of Fulton | Griffin of Sumter     | McElreath           |
| Allen               | Gayton                | McMahan             |
| Alley               | Hall                  | McMichael of Butts  |
| Anderson of Chatham | Hardeman of Jefferson | McMichael of Marion |
| Armistead           | Hardman of Jackson    | McWhorter           |
| Atkinson            | Harrington            | Peacock             |
| Aul                 | Harvey                | Pickett             |
| Barksdale           | Heard                 | Pierce              |
| Baker               | Helms                 | Prior               |
| Barrett             | Henderson of Irwin    | Proctor             |
| Beacham             | Henderson of Turner   | Redding             |
| Boyd                | Hendricks             | Reid of Campbell    |
| Brinson of Emanuel  | Hill                  | Reid of Macon       |
| Brown of Carroll    | Holder of Floyd       | Roberts             |
| Brown of Fulton     | Holtzclaw             | Rogers              |
| Brown of Henry      | Hullender             | Sheppard            |
| Brown of Murray     | Johnson of Jeff Davis | Shirley             |
| Burch               | Joiner                | Simmons             |
| Buxton              | Jones of Laurens      | Slade               |
| Calbeck             | Jones of Meriwether   | Strong              |
| Carter              | Jones of Mitchell     | Stubbs of Putnam    |
| Chandler            | Kennedy               | Stubbs of Thomas    |
| Converse            | Kidd                  | Tarver              |
| Cooke               | Kirby                 | Tippins             |
| Couch               | Lewis                 | Tracey              |
| Culbertson          | Littleton             | Taggle              |
| Cureton             | Lord                  | Turner              |
| Daniel              | Martin                | Turnipseed          |
| Davis               | Meadows of Telfair    | Upshaw              |
| Dickson             | Meadows of Toombs     | Vinson              |
| Edmondson           | Middlebrooks          | Walter              |
| Edwards             | Miller of Calhoun     | Watkins             |
| Elder               | Milikin               | White of Screven    |
| English             | Mitchell              | Whiteley            |
| Evans               | Moore                 | Wight of Grady      |
| Ford                | Moss                  | Wohlwender          |
| Fullbright          | MacIntyre             | Wood                |
| Garlington          | McCarthy              | Wright of Floyd     |
| Gastley             | McConnell             | Wright of Stewart   |
| Gillis              | McGrory               |                     |

Those absent were Messrs:

|                     |                   |                   |
|---------------------|-------------------|-------------------|
| Anderson of Bullock | Fields of Crisp   | Parker of Talbot  |
| Atherton            | Griffin of Twiggs | Paulk             |
| Bagley              | Hatfield          | Persons           |
| Bailey              | Howell            | Pope              |
| Bell                | Hubbard           | Porter            |
| Berry               | Huie              | Reaves            |
| Booker              | Johnson of Bartow | Reese             |
| Brinson of Decatur  | Johnson of Towns  | Rentz             |
| Butt                | Keith             | Rosser            |
| Cannon              | Kelley            | Simpson           |
| Carswell            | Kendrick          | Smith of Gilmer   |
| Childs              | Kicklighter       | Smith of Tattnall |
| Cordell             | Lawrence          | Smith of Walton   |
| Cowan               | Lovejoy           | Stovall           |
| Drawdy              | Miller of Ware    | Waddell           |
| Ellis               | Minter            | Warden            |
| Ellison             | MacFarland        | Williams          |
| Fairecloth          | McArthur          | Woodliff          |
| Fender              | Oliver            | Mr. Speaker       |
| Field of DeKalb     | Parker of Decatur |                   |

Upon the call of the roll it was disclosed that 125 members were present.

It having been disclosed that a quorum was present the House proceeded with the business before it.

Mr. Alexander, of DeKalb, made the point of order that the thirty minutes allowed for the granting of unanimous consents having arrived the bill under consideration would have to go over as unfinished business. The point was sustained by the Speaker.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by the requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to increase the salaries of the justices of the Supreme Court.

A bill to amend Section 420 of the Penal Code prohibiting running of freight trains on the Sabbath.

The following bill which was made the special order for this time was read the third time and put upon its passage, to-wit:

By Messrs. Hill, of Monroe; Faircloth, of Johnson, et al.—

A bill to amend an Act to amend, revise and consolidate the common school laws of the State of Georgia, so as to provide that the State School Commissioner shall be General Secretary, etc., of the State Board of Education, etc.

The following amendments were adopted:

By Mr. McMichael—

To amend by striking the words “1910” wherever they occur and substituting “1911.”

By Mr. Hall, of Bibb—

To amend Section 1 by striking all of said Section after word “of” in line 30 and insert in lieu thereof the words \$1000.

Mr. Brown, of Murray, proposed to amend Mr. Hall’s amendment by striking the words “\$1000,” and substituting “\$1500” which was adopted.

The amendment was adopted as amended.

On the passage of the bill Mr. Michael called for the ayes and nays which call was sustained.

The call of the roll was had but before the result of the vote could be announced Mr. McMichael moved to table the bill together with the vote thereon which motion prevailed.

Mr. Hardman, of Jackson, who gave notice on yesterday, moved to reconsider the action of the House in refusing to pass House Bill No. 69 which provides for an appropriation of \$15,000 for a heating plant for the State University.

Mr. Edwards called the previous question which call was sustained and the main question ordered.

On the motion to reconsider the ayes were 60, nays, 48. The motion therefore prevailed.



By unanimous consent House Bill No. 952 was recommitted from the Committee on General Agriculture to Committee on Appropriations.

Mr. McMahan, Chairman of the Committee on University of Georgia and its branches, submitted the following report:

*Mr. Speaker:*

The Committee on University of Georgia and Branches have had under consideration Senate bill No. 93 and recommend that same do pass.

Also Senate Bill No. 194 and recommend that it do pass.

We also recommend that the author of House Bill No. 706 be allowed to withdraw same.

McMAHAN, Chairman.

Mr. Johnson, of Bartow, Chairman of the General Agricultural Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on General Agriculture has had under consideration House Bills No. 914 and 952.

House Bill No. 914—A bill to be entitled an Act

for increasing the skill and effectiveness of negro farmers and negro laborers, to appropriate (\$3000) for said purpose and for other purposes, and instruct me, as their Chairman, to report same back with recommendation that it do not pass.

Also House Bill No. 952—A bill to be entitled an Act to increase efficiency of the inspection of fertilizer, authorize the employment of additional assistants, in the State Chemist's office, increase the laboratory facilities and for other purposes, and recommend that same be committed to the Committee on Appropriations, with the endorsement of this Committee.

MR. JOHNSON, of Bartow,  
Chairman of General Agricultural Committee.

Mr. Heard, Chairman of the Committee on Banks and Banking, submitted the following report:

*Mr Speaker:*

Your Committee on Banks and Banking having had under consideration a second time House Bill No. 402 instruct me, as their Chairman, to report the same back with the recommendation that it do pass by substitute.

HEARD, Chairman.

Mr. Brown, of Fulton, Chairman of the Committee on Hygiene and Sanitation, submitted the following report:

*Mr. Speaker:*

The Committee on Hygiene and Sanitation has had under consideration House Bills Nos. 870 and 917, and recommend that the same do pass.

GEORGE BROWN, Chairman.

Mr. Jones, of Meriwether, Chairman of Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations has had under consideration the following House bills and resolutions and instruct me, as their Chairman, to report same back with the following recommendations:

House Resolution No. 230—To pay J. F. Lynch \$1,000.00. Do not pass.

House Bill No. 909—To appropriate \$10,000.00 to the State Board of Entomology Do pass.

House Bill No. 942—To appropriate \$2,000.00 for Confederate Cemetery at Marietta, Ga. Do pass.

House Bill No. 951—To appropriate \$11,363.67 to the Public Building Fund. Do pass.

Respectfully submitted,

W. R. JONES, Chairman.

Mr. Ault, Chairman of the Committee on Roads and Bridges, submitted the following report:

*Mr. Speaker:*

Your Committee on Roads and Bridges having had under consideration the following bills direct me, as their Chairman to report same with following recommendations:

That House Bill No. 905 do pass as amended.

That House Bill No. 864 do pass.

That Senate Bill No. 170 do pass by substitute.

AULT, Chairman.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following resolution of the House and instruct me, as their Chairman, to report same back to the House with the recommendation that same do not pass, to-wit:

A resolution that the Attorney-General insist

upon a final decree from the United States Supreme Court in the Ducktown case

Respectfully submitted,

JOS. H. HALL, Chairman.

Mr. Fullbright, Chairman of Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me to report them back to the House with the following recommendations:

House Bill No. 814—To create a new judicial circuit to be known as the Chickamauga circuit. Do not pass.

House Bill No. 873—To prohibit the exhibition of moving pictures reproducing prize fights between men of different races. Do pass as amended.

House Bill No. 927—To abolish City Court of Pulaski county. Do pass.

House Bill No. 947—To abolish Board of Commissioners of Madison county. Do pass.

House Bill No. 948—To create a Board of Commissioners of Madison county. Do pass as amended.

House Bill No. 949—To amend City Court Act of Eastman. Do pass.

House Bill No. 965—To amend City Court of Nashville. Do pass.

Senate Bill No. 208—To incorporate the City of Cuthbert. Do pass.

House Bill No. 815—To amend City Court Act of Oglethorpe. Do pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following House and Senate bills and instruct me, as their Chairman, to report the same back with the following recommendations:

House Bill No. 956—To amend the charter of the town of Doerun, Colquitt county. Do pass.

House Bill No. 963—To establish a system of Public Schools in the city of Senoia. Do pass.

Senate Bill No. 155—To incorporate the city of Crawford, Oglethorpe county. Do pass.

BUTT, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to amend the Constitution of this State so as to authorize certain counties in this State to supplement the salary of judges of the Superior Court in certain circuits.

The following resolution which was brought over as unfinished business was again taken up for further consideration, to-wit:

By Messrs. Alexander, Brown and McElreath, of Fulton—

A resolution to pay the heirs of Sherman J. Sims for right of way taken by the Northeastern Railroad.

Pending discussion on the above bill the regular hour of adjournment arrived and the Speaker having announced the fact the business for which the session was extended was taken up.

The following bills were read the first time, to-wit:

By Mr. Davis, of Dougherty—

A bill to create a new charter for the city of Albany.

Referred to Committee on Corporations.

By Messrs. Davis, of Dougherty; Jones, of Mitchell—

A bill to change time of holding Superior Courts of Dougherty and Mitchell counties.

Referred to Committee on Counties and County Matters.

By Messrs. Brinson and Gillis, of Emanuel—

A bill to amend an Act to create the City Court of Swainsboro.

Referred to Committee on Special Judiciary.



By Mr. Dickson, of Ben Hill—

A bill to amend an Act to create the City Court of Fitzgerald.\*

Referred to Committee on Special Judiciary.

The following Senate bills were read the first time, to-wit:

By Mr. Perry, of 33d district—

A bill to increase the salaries of the justices of the Supreme Court.

Referred to Committee on General Judiciary.

By Mr. Day, of 41st district—

A resolution for the relief of J. C. Powell, J. M. Kincaid, A. J. Bellew, J. A. Freeman and A. Beaver.

Referred to Committee on Counties and County Matters.

By Mr. Sellars, of 3d district—

A bill to prohibit the portrayal of prize fights on moving pictures.

Referred to Committee on Special Judiciary.

By Mr. Johnson, of 19th district—

A bill to amend an Act reincorporating the town of White Plains.

Referred to Committee on Corporations.

By Mr. Price, of 27th district—

A bill to amend Section 420 of the Penal Code.

Referred to Committee on Railroads.

By Mr. Burwell, of 20th district—

A bill to amend the charter of the town of Sparta.

Referred to Committee on Special Judiciary.

By Mr. McCurry, of 31st district—

A bill to provide for the re-arrangement of the judicial circuits, etc.

Referred to Committee on General Judiciary.

The following bills were read the second time, to-wit:

By Mr. Alexander, of Fulton—

A resolution for the appointment of a Commis-

sion to consider and report upon a revision of the judicial system of the State.

By Mr. Moss, of Cobb—

A bill to prevent the procuring of females for immoral purposes.

By Mr. Reid, of Macon—

A bill to amend an Act to create the City Court of Oglethorpe.

By Mr. Hall, of Bibb—

A bill to amend Paragraph 8, Section 1, Article 5 of the Constitution.

By Mr. Calbeck, of Gordon—

A bill to repeal an Act to amend the road laws of Georgia.

By Messrs. Slade and Wohlwender, of Muscogee—

A bill to require the several boards of health of this State to enforce the standard transit permits adopted by the Georgia State Board of Embalming.

By Messrs. Tarver, of Whitfield, et al.—

A bill to prohibit the exhibition of moving pictures portraying prize fights, etc.

By Messrs. Anderson, Lawrence & McCarthy, of Chatham—

A bill to authorize county commissioners to enact and enforce regulations for the protection of public ways, etc.

By Mr. Henderson, of Irwin, et al.—

A bill to appropriate \$10,000 to the State Board of Entomology.

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to more thoroughly carry into effect an Act to prohibit the adultering and misbranding of foods.

By Mr. Peacock, of Pulaski—

A bill to abolish the City Court of Pulaski.

By Mr. Moss, of Cobb—

A bill to appropriate \$2,000 for completion of Confederate Cemetery at Marietta.

By Mr. Williams, of Madison—

A bill to repeal an Act to create the office of Commissioner of Roads and Revenues for the county of Madison.

By Mr. Williams, of Madison—

A bill to create a Board of Commissioners of Roads and Revenues for Madison county.

By Mr. Roberts, of Dodge—

A bill to amend an Act to amend an Act to create the City Court of Eastman.

By Mr. Barrett, of Stephens—

A bill to appropriate \$11,363.37 to the Public Building Fund.

By Mr. Walters, of Colquitt—

A bill to amend the charter of the town of Doerun.

By Messrs. Kirby and Couch, of Coweta—

A bill to establish a system of public schools in the city of Senoia.

By Mr. Paulk, of Berrien—

A bill to amend an Act to establish the City Court of Nashville.

The following Senate bills were read the second time, to-wit:

By Mr. Gordy, of 24th district—

A bill to make the wife or husband competent witness in cases of bigamy.

By Mr. Slaton, of 35th district—

A bill to regulate automobiles, etc.

By Mr. Howard, of Thompson—

A bill to authorize the trustees of the State University to designate three members of said board upon each of the branch colleges of the University.

By Mr. Thompson, of 33d district—

A bill to make the President of the Board of Trustees of the State Normal School ex-officio a member of the Board of Trustees of the State University.

By Mr. Irwin, of 11th district—

A bill to create and incorporate the city of Cuthbert in lieu of the Mayor and Council of Cuthbert.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

## ATLANTA, GEORGIA,

THURSDAY, July 21, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                       |
|---------------------|-----------|-----------------------|
| Adams               | Burch     | Fairecloth            |
| Alexander of DeKalb | Butt      | Fender                |
| Alexander of Fulton | Buxton    | Field of DeKalb       |
| Allen               | Calbeck   | Fields of Crisp       |
| Alley               | Cannon    | Ford                  |
| Anderson of Bullock | Carswell  | Fullbright            |
| Anderson of Chatham | Carter    | Garlington            |
| Armistead           | Chandler  | Gastley               |
| Atherton            | Childs    | Gillis                |
| Atkinson            | Converso  | Godley                |
| Aul;                | Cooke     | Graddick              |
| Barksdale           | Cordell   | Griffin of Sumter     |
| Bagley              | Couch     | Griffin of Twiggs     |
| Bailey              | Cowan     | Guyton                |
| Baker               | Culberson | Hall                  |
| Barrett             | Cureton   | Hardeman of Jefferson |
| Beacham             | Daniel    | Hardman of Jackson    |
| Bell                | Davis     | Harrington            |
| Berry               | Dickson   | Harvey                |
| Booker              | Drawdy    | Hatfield              |
| Boyd                | Edmondson | Heard                 |
| Brinson of Decatur  | Edwards   | Helms                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin    |
| Brown of Carroll    | Ellis     | Henderson of Turner   |
| Brown of Fulton     | Ellison   | Hendricks             |
| Brown of Henry      | English   | Hill                  |
| Brown of Murray     | Evans     | Holder of Floyd       |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnall |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Olive               | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Faulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Fierce              | Waddell           |
| Littleton             | Pope                | Walter            |
| Lord                  | Porter              | Warden            |
| Lovejoy               | Price               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | Williams          |
| Miller of Calhoun     | Reid of Campbell    | Wohlwend          |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Robert              | Wright of Floyd   |
| Moor                  | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

The Journal of yesterday's proceedings was read and confirmed.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. McElreath, of Fulton—

A bill to authorize the County Commissioners of certain of the several counties to create a board of examiners of stationary engineers, etc.

The Committee proposed the following amendments which were adopted.

To amend by adding a new Section to be numbered Section 13 and numbering Section 13 as Section 14, as follows: “Sec. 13. Be it further enacted that this Act shall apply only to those counties of the State having a population of 125,000 according to the census of 1900. Also

To amend caption by adding before the words and for other purposes the words “provided the Act shall apply only to counties having a population according to the census of 1900 of 125,000.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 95, nays, 7.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Kidd, of Baker—

A bill to abolish the City Court of Newton in Baker county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Barrett, of Stephens—

A bill to amend the charter of the town of Avalon.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Barrett, of Stephens—

A bill to amend the charter of the town of Martin.

The Committee proposed to amend the caption by striking the word “chain-gang” wherever the same occur and insert the words “street-gang.”

The report of the Committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 119, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to prohibit drinking of intoxicating liquors upon railroad passenger trains and street cars.

A bill to amend Section 1496 of the Code of 1895 which prescribes qualifications for pharmacists.

A bill to provide for the proper protection of sinking funds of municipal corporations.

Mr. Stubbs, of Thomas, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment has examined and found properly enrolled, duly signed and ready for delivery to the Governor, the following Acts, to-wit:

An Act to amend an Act to create the City Court of Douglas.

An Act to repeal an Act to create a Board of Roads and Revenues for Cherokee county.

Respectfully submitted,

J. B. STUBBS, Chairman.

The following resolution was read, to-wit:

By Mr. Smith, of Gilmer—

A resolution to make House Bill No. 751 a special order.

Referred to Committee on Rules.

At the request of the author House Bill No. 831 was recommitted.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Brown, of Carroll—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the county of Carroll.

Referred to Committee on Counties and County Matters.

By Mr. Dickson, of Ben Hill—

A bill to regulate the slaughtering of cattle, etc.,  
in Ben Hill county

Referred to Committee on Special Judiciary.

By Mr. Rogers, of Randolph—

A bill to incorporate the city of Cuthbert.

Referred to Committee on Corporations.

By Mr. Dickson, of Ben Hill—

A bill to amend an Act to prescribe the duties of  
the Commissioners of Ben Hill county

Referred to Committee on Special Judiciary.

By Mr. Jones, of Mitchell—

A bill to create a new charter for Baconton.

Referred to Committee on Corporations.

By Mr. Wright, of Stewart—

A resolution authorizing the State Librarian to  
furnish certain Georgia Reports to Stewart county.

Referred to Committee on Public Library.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following bills of the House and instruct me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to amend Section 4147, Code, 1895, relative to jury compensation.

A bill to amend Section 194, Volume 3, Code, 1895, relative to punishment of larceny after trust.

A bill to dispense with recording on the execution docket of Superior Court of executions issuing from other courts.

Also the following bills of the House with the recommendation that same do pass as amended, to-wit:

A bill to amend Section 939, Penal Code, 1895, relative to change of venue.

A bill to make it unlawful to publish opprobrious language in newspapers, magazines, etc.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to make defendants in criminal proceedings competent witnesses.

A bill to authorize amendments to indictments, etc.

A bill to make it lawful for Judge to express to jury his opinion as to the evidence.

A bill to provide for creation of liens for blacksmiths.

A bill to amend Section 974, Penal Code 1895, relative to peremptory challenges.

Also the following bill of the Senate with the recommendaion that same do pass, to-wit:

A bill to increase salaries of the Justices of the Supreme Court.

HALL, of Bibb, Chairman.

Mr. Anderson, Vice-Chairman of the Committee on Rules, submitted the following report:

*Mr. Speaker:*

Your Committee on Rules begs leave to submit the following report:

1. The Committee recommends that the following resolution be adopted, to-wit:



Resolved, That individual speeches on each and all of the pending special appropriation bills and resolutions be limited to ten (10) minutes. Adopted.

2. The Committee recommends that all bills involving an amendment to the Constitution of the State shall be set as a special and continuing order, in their order on the Calendar, immediately after the disposition of the Special Order covering special appropriation bills and resolutions. Adopted.

3. The Committee recommends that the following resolution be adopted:

Resolved, That the House shall hold afternoon sessions from 3 to 5 o'clock each day, except Saturday, until the special orders covering Special Appropriations and covering Constitutional Amendments are disposed of. Adopted.

4. The Committee recommends that House Bill 943, being a contested local bill to amend the charter of the city of Atlanta, be set as a special order for Friday, July 22nd, immediately after unanimous consents; and that debate on the bill shall be limited to 40 minutes, 20 minutes on each side, at the expiration of which the main question shall be considered as ordered and the vote shall be taken. Adopted.

5. The Committee recommends that Senate Resolution No. 23, ratifying the proposed 16th Amendment to the United States Constitution, be set as a

special order for Tuesday, July 26th, immediately after unanimous consents. Adopted.

Respectfully submitted,

J. R. ANDERSON, Vice-Chairman.

All the recommendations embraced in the above report were adopted.

Mr. White, Chairman of the Committee on Pension, submitted the following report:

*Mr. Speaker:*

The Committee on Pensions having had under consideration Senate Bill No. 191, herewith return the same with recommendation that the same do pass. This, July 21, 1910.

WHITE, Chairman.

Mr. McMichael, Chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has considered House Bill No. 980, and instructs me as its Chairman, to recommend that it do pass.

Respectfully submitted,

E. H. McMICAL, Chairman.

Mr. Calbeck, of Gordon, Chairman of the Committee on Academy for the Blind, submitted the following report:

*Mr. Speaker:*

The Committee on the Academy for the Blind submits the following report to the House of Representatives in regard to their visit to the Academy on October 27th 1909:

The Committee examined the workings of the institution in detail and found that the buildings of the Academy are in good condition. We visited the class rooms for white people and saw the pupils studying their lessons. They were under good control and took a great deal of interest in their work. We found the building for the negro department in fair condition. We find that the negro boys take readily to music. That when they get a pretty good training in music they get a position to make music for near beer saloons and other like resorts. We recommend that the negro boys be given a manual training instead of music. The pupils of the Academy in the white and colored departments, seem to be well fed and clothed and satisfied with the treatment they receive.

We believe that it would be to the best interest of the State to require that all applications for admittance of pupils into the Academy should be wit-

nessed by an officer of the county authorized to administer oaths, in which the applicant lives. We recommend that the General Assembly of Georgia make an appropriation to build a hospital on the grounds of the Academy, for the protection of the pupils, in case of an epidemic of any contagious disease. We commend Superintendent G. F. Oliphant for the good management of the Academy

CALBECK, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House and Senate, and instruct me as their Chairman, to report same back with the following recommendations:

House Bill No. 356—To repeal an Act incorporating the town of Maples, Mitchell County Do pass.

House Bill No. 883—To incorporate the city of Sale City, Mitchell County. Do pass.

Senate Bill No. 204—To repeal the Act incorporating the town of Roberta. Do pass.

Senate Bill No. 205—To incorporate the city of Roberta. Do pass.

BUTT, Chairman.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

The Committee on Counties and County Matters recommend that,

House Bills Nos. 860, 944, 954, 972, 982, 992, 979 and 978, all local bills, do pass.

Also,

House Bill No. 970, local bill, do pass as amended.

Respectfully submitted,

MACINTYRE, Chairman.

The following resolutions were read, to-wit:

By Messrs. Hardman, of Jackson, Persons, of Monroe—

A resolution to make House Bill No. 397 a special order.

Referred to Committee on Rules.

By Mr. Barrett, of Stephens—

A resolution to make House Bill No. 773 a special order.

Referred to Committee on Rules.

The following resolution which was brought over as unfinished business was taken up and put upon its passage, to-wit:

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A resolution to pay the heirs of Sherman J. Sims for right of way taken by North Eastern Railroad.

The previous question was called.

The favorable report of the Committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                  |                |
|---------------------|------------------|----------------|
| Alexander of Fulton | Baker            | Brown of Henry |
| Alley               | Barrett          | Burch          |
| Armistead           | Bell             | Buxton         |
| Atherton            | Booker           | Carter         |
| Atkinson            | Boyd             | Childs         |
| Aul;                | Brown of Carroll | Converse       |
| Barksdale           | Brown of Fulton  | Cureton        |

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Dickson             | Lawrence           | Rogers          |
| Edwards             | Lord               | Smith of Gilmer |
| Fairecloth          | Meadows of Telfair | Smith of Walton |
| Fender              | Mitchell           | Strong          |
| Fullbright          | Moore              | Tarver          |
| Gastley             | Moss               | Tippins         |
| Griffin of Sumter   | MacFarland         | Tracey          |
| Hall                | McCrory            | Tuggle          |
| Hardman of Jackson  | McCurry            | Upshaw          |
| Harvey              | McElreath          | Vinson          |
| Heard               | McMahan            | Wasden          |
| Henderson of Irwin  | McWhorter          | Watkins         |
| Hendricks           | Persons            | Whiteley        |
| Holtzelaw           | Pickett            | Williams        |
| Howell              | Pierce             | Wohlwendt       |
| Joiner              | Proctor            | Wood            |
| Jones of Laurens    | Reid of Campbell   | Woodliff        |
| Jones of Meriwether | Reid of Macon      |                 |
| Kirby               | Roberts            |                 |

Those voting in the negative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Adams               | English             | Martin              |
| Alexander of DeKalb | Fields of Crisp     | Middlebrooks        |
| Allen               | Ford                | Miller of Calhoun   |
| Beacham             | Godley              | Miller of Ware      |
| Brinson of Decatur  | Graddick            | Milikin             |
| Brinson of Emanuel  | Guyton              | MacIntyre           |
| Cannon              | Harrington          | McConnell           |
| Carswell            | Hatfield            | McCutchen           |
| Chandler            | Helms               | McMichael of Butts  |
| Cooke               | Henderson of Turner | McMichael of Marion |
| Cordell             | Hill                | Olive               |
| Couch               | Hubbard             | Parker of Decatur   |
| Cowan               | Hullender           | Parker of Talbot    |
| Culbertson          | Huie                | Paulk               |
| Daniel              | Johnson of Bartow   | Peep                |
| Davis               | Jones of Mitchell   | Porter              |
| Drawdy              | Keith               | Price               |
| Edmondson           | Kelley              | Reaves              |
| Elder               | Kendrick            | Sheppard            |
| Ellison             | Kidd                | Shirley             |

|                  |            |                   |
|------------------|------------|-------------------|
| Slade            | Turnipseed | Wight of Grady    |
| Stovall          | Walters    | Wright of Stewart |
| Stubbs of Thomas |            |                   |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Anderson of Bullock | Hardeman of Jefferson | Redding           |
| Anderson of Chatham | Holder of Floyd       | Reese             |
| Bagley              | Johnson of Jeff Davis | Rentz             |
| Bailey              | Johnson of Towns      | Rosser            |
| Berry               | Kennedy               | Simmons           |
| Brown of Murray     | Kicklighter           | Simpson           |
| Butt                | Lewis                 | Smith of Tattnall |
| Calbeck             | Littleton             | Stubbs of Putnam  |
| Ellis               | Lovejoy               | Turner            |
| Evans               | Meadows of Toombs     | Waddell           |
| Field of DeKalb     | Minter                | White of Screven  |
| Garlington          | McArthur              | Wright of Floyd   |
| Gillis              | McCarthy              | Mr. Speaker       |
| Griffin of Twiggs   | Peacock               |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 76; nays, 67.

The resolution was therefore lost.

Mr. Hall, of Bibb, gave notice that at the proper time he would move to reconsider the action of the House in refusing to pass the above resolution.

The following bills where made special orders, were read the third time and put upon their passage, to-wit:

By Mr. McMahan, of Clarke—

A bill to appropriate \$25,000 to the Trustees of



the State University for the purpose of erecting a building on the campus of the University

An appropriation being involved the Speaker resolved the House into a Committee of the Whole, and designated as Chairman Mr. Fullbright, of Burke,

After a consideration of the bill the Committee arose and through their Chairman reported the same back with the recommendation that it do pass.

The favorable report of the Committee was disagreed to and the bill lost.

By Mr. Porter, of Floyd—

A resolution to appropriate money to pay W. L. Michael for time unlawfully served in the State Penitentiary

On motion of Mr. Porter the above resolution was tabled.

On motion of Mr. Heard, of Dooly, 200 copies of House Bill No. 772 were ordered printed.

By Messrs. Alexander, Brown and McElreath, of Fulton—

A bill to appropriate \$35,000 to the Trustees of the University for the Technological School.

An appropriation being involved the Speaker resolved the House into a Committee of the Whole, and designated as Chairman Mr. MacIntyre, of Thomas

After a consideration of the resolution the Committee arose and through its Chairman reported progress and asked leave to sit again.

Mr MacIntyre, of Thomas, moved to adjourn, which motion prevailed.

Leave of absence was granted—

MR. HENDERSON, of Irwin, business.

CARTER, of Hall, business.

KENDRICK, of Taliaferro, business.

WRIGHT, of Stewart, business.

BROWN, of Carroll, business.

HELMS, of Paulding, business.

SIMPSON, of Gwinnett, business.

BURCH, of Laurens, business.

REEVES, of McDuffie, business.

The Speaker then announced the House adjourned until 3 o'clock p. m. this afternoon.

3 O'CLOCK P. M.

The House re-convened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Adams               | Carswell        | Graddick              |
| Alexander of DeKalb | Carter          | Griffin of Sumter     |
| Alexander of Fulton | Chandler        | Griffin of Twiggs     |
| Allen               | Childs          | Guyton                |
| Alley               | Converse        | Hall                  |
| Anderson of Bullock | Cook            | Hardeman of Jefferson |
| Anderson of Chatham | Cordell         | Hardman of Jackson    |
| Armistead           | Couch           | Harrington            |
| Atherton            | Cowan           | Harvey                |
| Atkinson            | Culberson       | Hatfield              |
| Ault                | Cureton         | Heard                 |
| Barksdale           | Daniel          | Helms                 |
| Bagley              | Davis           | Henderson of Irwin    |
| Bailey              | Dickson         | Henderson of Turner   |
| Baker               | Drawdy          | Hendricks             |
| Barrett             | Edmondson       | Hill                  |
| Beacham             | Edwards         | Holder of Floyd       |
| Bell                | Elder           | Holtzelaw             |
| Berry               | Ellis           | Howell                |
| Booker              | Ellison         | Hubbard               |
| Boyd                | English         | Hullender             |
| Brinson of Decatur  | Evans           | Huie                  |
| Brinson of Emanuel  | Fairecloth      | Johnson of Bartow     |
| Brown of Carroll    | Fender          | Johnson of Jeff Davis |
| Brown of Fulton     | Field of DeKalb | Johnson of Towns      |
| Brown of Henry      | Fields of Crisp | Joiner                |
| Brown of Murray     | Ford            | Jones of Laurens      |
| Burch               | Fulbright       | Jones of Meriwether   |
| Butt                | Garlington      | Jones of Mitchell     |
| Buxton              | Gastley         | Keith                 |
| Calbeck             | Gillis          | Kelley                |
| Cannon              | Godley          | Kendrick              |

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Kennedy            | McMichael of Butts  | Smith of Gilmer   |
| Kicklighter        | McMichael of Marion | Smith of Tattnall |
| Kidd               | McWhorter           | Smith of Walton   |
| Kirby              | Olive:              | Stovall           |
| Lawrence           | Parker of Decatur   | Strong            |
| Lewis              | Parker of Talbot    | Stubbs of Putnam  |
| Littleton          | Faulk               | Stubbs of Thomas  |
| Lord               | Peacock             | Tarver            |
| Lovejoy            | Persons             | Tippins           |
| Martin             | Pickett             | Tracey            |
| Meadows of Telfair | Pierce              | Tuggle            |
| Meadows of Toombs  | Pop:                | Turner            |
| Middlebrooks       | Porter              | Turnipseed        |
| Miller of Calhoun  | Priece              | Upshaw            |
| Miller of Ware     | Proctor             | Vinson            |
| Milikin            | Reaves              | Waddell           |
| Mitchell           | Redding             | Walters           |
| Moore              | Reese               | Wasden            |
| Moss               | Reid of Campbell    | Watkins           |
| MacFarland         | Reid of Macon       | White of Screven  |
| Macintyre          | Rent:               | Whiteley          |
| McArthur           | Roberts             | Wight of Grady    |
| McCarthy           | Rogers              | William:          |
| McConnell          | Rosser              | Wohlwender        |
| McCrary            | Sheppard            | Wood              |
| McCurry            | Shirley             | Woodliff          |
| McCutchen          | Simmons             | Wright of Floyd   |
| McElreath          | Simpson             | Wright of Stewart |
| McMahan            | Slade               | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the session was extended for the purpose of:

1. Receiving reports of Committees.
2. Reading House Bills second time.
3. Reading Senate Bills first time.

Mr. Persons moved that when the house meet on Saturday it consider general bills.

Mr. Sheppard, of Sumter, moved to amend the above motion by making the continuing special order now on the desk, the consideration of appropriation measures, the order of business for Saturday, which was adopted.

The motion was then adopted as amended.

Mr. Hall, of Bibb, moved that when the House adjourn it meet again at 9 o'clock a. m. to-morrow, which motion was lost.

The following bill brought over as unfinished business from this morning's session was again taken up, to-wit:

By Messrs. Alexander, Brown and McElreath—

A bill to appropriate \$35,000 to the Trustees of the University for the Technological School.

On motion of Mr. Sheppard the Committee were instructed to report the bill back in half-hour

The Speaker again resolved the House into a Committee of the Whole, and Mr. MacIntyre took the chair

After considering the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended.

The main question was ordered. The following amendments were adopted:

To amend by adding the following: "Resolved further, That this appropriation shall not be available for the aforesaid purpose until the plans and specifications for said building shall be approved by the Governor, and that all payments made for the erection of said building shall be made from the treasury of the State as the work progresses, upon warrants drawn by the Governor."

Also,

To amend by adding the following at the end of Section 2:

*"Provided, That the appropriation herein provided for shall be paid out of any money in the treasury not otherwise appropriated by the provisions of any general appropriation bill."*

Also,

To amend by striking the word "Academic" in line 6, Section 1, and substitute word "shop".

The report of the Committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                  |
|---------------------|-----------------------|------------------|
| Alexander of DeKalb | Godley                | Paulk            |
| Alexander of Fulton | Hardeman of Jefferson | Persons          |
| Allen               | Hardman of Jackson    | Pierce           |
| Anderson of Bullock | Henderson of Irwin    | Propp            |
| Anderson of Chatham | Hill                  | Porter           |
| Armistead           | Holtzelaw             | Reid of Campbell |
| Atherton            | Huie                  | Robertson        |
| Atkinson            | Jones of Meriwether   | Rogers           |
| Ault                | Keith                 | Shirley          |
| Barksdale           | Kirby                 | Slade            |
| Baker               | Lewis                 | Smith of Gilmer  |
| Barrett             | Littleton             | Smith of Walton  |
| Booker              | Lovejoy               | Stovall          |
| Boyd                | Miller of Calhoun     | Strong           |
| Brown of Carroll    | Miller of Ware        | Stubbs of Putnam |
| Brown of Fulton     | Milikin               | Tarver           |
| Buxton              | Moss                  | Tuggle           |
| Carswell            | MacFarland            | Turner           |
| Converse            | MacIntyre             | Upshaw           |
| Couch               | McCarthy              | Vinson           |
| Culbertson          | McCrory               | Wadsen           |
| Daniel              | McCurry               | Watkins          |
| Davis               | McCutchen             | Wight of Grady   |
| Edwards             | McElreath             | Williamson       |
| English             | McMahan               | Wohlwender       |
| Fullbright          | McMichael of Butts    | Wright of Floyd  |
| Garlington          | McWhorter             |                  |
| Gillis              | Parker of Talbot      |                  |

Those voting in the negative were Messrs.:

|                    |                 |         |
|--------------------|-----------------|---------|
| Alley              | Brown of Henry  | Cordell |
| Beacham            | Brown of Murray | Cowan   |
| Bell               | Cannon          | Dickson |
| Berry              | Chandler        | Drawdy  |
| Brinson of Decatur | Cooke           | Elder   |

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Ellison             | Howell                | Parker of Decatur |
| Ford                | Hullender             | Proctor           |
| Gastley             | Johnson of Bartow     | Reid of Macon     |
| Graddick            | Johnson of Jeff Davis | Sheppard          |
| Griffin of Sumter   | Jones of Laurens      | Stubbs of Thomas  |
| Guyton              | Kelley                | Tippins           |
| Hall                | Kidd                  | Tracey            |
| Harrington          | Lord                  | Turnipseed        |
| Harvey              | Martin                | Walter            |
| Hatfield            | Meadows of Telfair    | White of Screven  |
| Heard               | Moore                 | Whiteley          |
| Henderson of Turner | McConnell             | Wood              |
| Holder of Floyd     | Olive                 | Woodliff          |

Those not voting were Messrs.:

|                    |                   |                     |
|--------------------|-------------------|---------------------|
| Adams              | Fields of Crisp   | McArthur            |
| Bagley             | Griffin of Twiggs | McMichael of Marion |
| Bailey             | Helms             | Peacock             |
| Brinson of Emanuel | Hendricks         | Pickett             |
| Burch              | Hubbard           | Pries               |
| Butt               | Johnson of Towns  | Reaves              |
| Calbeck            | Joiner            | Redding             |
| Carter             | Jones of Mitchell | Reese               |
| Childs             | Kendrick          | Rentz               |
| Cureton            | Kennedy           | Rosse               |
| Edmondson          | Kicklighter       | Simmons             |
| Ellis              | Lawrence          | Simpson             |
| Evans              | Meadows of Toombs | Smith of Tattnall   |
| Faireloth          | Middlebrooks      | Waddell             |
| Fender             | Mintz             | Wright of Stewart   |
| Field of DeKalb    | Mitchell          | Mr. Speaker         |

The roll call was verified and on counting the votes cast it was found that the ayes were 82; nays, 54.

The bill having failed to receive the requisite Constitutional majority, was lost.

Mr. McElreath gave notice that at the proper time



he would move to re-consider the action of the House in refusing to pass the above bill.

Mr. Baker moved to adjourn, which motion prevailed, and the business for which the session was extended was taken up.

Mr. Barrett, Chairman pro tem. of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration House Bill No. 985, which provides for municipal elections to determine the question of local taxation for public schools, and directs me as Chairman, to report the same with the recommendation that the same do pass as amended.

FERMOR BARRETT, Chairman Pro Tem.

Mr. Parker, Chairman of Committee on Railroads, submitted the following report:

*Mr. Speaker:*

Your Committee on Railroads have had under consideration the following bills of the House and Senate, and instruct me, as their Chairman, to report

same back to the House with the recommendation that same do pass, to-wit:

House Bill No. 964.

Senate Bill No. 227.

Also,

The following bills of the House and Senate with the recommendation that same do not pass, to-wit:

House Bill No. 791.

Senate Bill No. 117.

Respectfully submitted,

W. M. PARKER, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Corporations Committee has had under consideration the following House and Senate Bills, and instruct me, as their Chairman, to report same back to the House as follows:

House Bill No. 974—To incorporate town Boynton. Do pass.

House Bill No. 977—To amend charter Rossville.  
Do pass.

House Bill No. 988—To incorporate town of Pine Park. Do pass.

House Bill No. 990—To amend charter Cumming.  
Do pass.

House Bill No. 993—To create new charter of Albany. Do pass.

Senate Bill No. 224—To amend charter of White Plains. Do pass.

BUTT, Chairman.

The following bills were read the second time, to-wit:

By Mr. Edwards, of Walton—

A bill to amend Section 939 of the Penal Code.

By Mr. Culberson, of Lincoln—

A bill to amend Section 4147 of the Code of 1895.

By Mr. Lawrence, of Chatham—

A bill to amend Section 194, Volume 3, of the Code.

By Mr. Alexander, of DeKalb—

A bill to dispense with recording on Superior Court Execution dockets of executions issuing from other courts.

By Mr. Alley, of White—

A bill to provide who shall be allowed to vote in stock law elections in certain counties.

By Mr. Jones, of Mitchell—

A bill to incorporate Sale City.

By Mr. Roberts, of Dodge—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the county of Dodge

By Messrs. Joiner and Lord, of Washington—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Washington County

By Mr. Ford, of Worth—

A bill to regulate the preparation of live stock for market in Worth County.

By Mr. Stubbs, of Putnam—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Putnam County.

By Mr. Wood, of Banks—

A bill to create a Board of County Commissioners for Banks County.

By Messrs. Alexander, Brown, McElreath—

A bill to amend an Act to provide for the election of County School Commissioners by the people.

By Mr. Edmondson, of Chattooga—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Chattooga County.

By Messrs. Davis, of Dougherty, Jones, of Mitchell—

A bill to change the time of holding the Superior Courts of Mitchell and Dougherty Counties.

By Mr. Davis, of Dougherty—

A bill to create a new charter for the city of Albany.

By Mr. Wright, of Grady—

A bill to incorporate the town of Pine Park.

By Mr. Woodliff, of Forsyth—

A bill to amend the Acts to incorporate the town of Cumming.

By Mr. Rosser, of Walker—

A bill to amend the charter of Rossville.

By Mr. Hullender, of Catoosa—

A bill to repeal an Act to incorporate town of Boynton.

By Mr. McMichael, of Marion—

A bill to provide for municipal elections to determine the question of taxation for public schools.

By Mr. Fullbright, of Burke—

A bill to amend Section 2279 of the Code of 1895, etc.

The following Senate Bills were read the first time, to-wit:

By Mr. Day, of 41st District—

A bill to prohibit drinking of intoxicating liquors upon passenger trains.

Referred to Committee on Temperance.

By Mr. Price, of 27th District—

A bill to amend Section 1496 of the Code of 1895.

Referred to Committee on Special Judiciary.

By Mr. Matthews, of 23rd District—

A bill to provide protection for sinking funds of municipal corporations

Referred to Committee on General Judiciary.

By Messrs. Slaton, of 35th District, Minis, of 18th District, Slater, of 1st District.

A bill to amend the Constitution of Georgia, so as to allow certain counties to supplement the salaries of Judges of the Superior Court.

Referred to Committee on Constitutional Amendments.

Leave of absence was granted—

MR. MEADOWS, of Telfair, business.

MEADOWS, of Toombs, sickness.

DICKSON, business.

HATFIELD, of Coffee, business.

PAULK, of Berrien, business.

CARSWELL, of Wilkinson, business.

The Speaker then announced the House adjourned until 9:30 o'clock to-morrow morning.



ATLANTA, GEORGIA.

FRIDAY, JULY 22, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                       |
|---------------------|-----------|-----------------------|
| Adams               | Burch     | Fairecloth            |
| Alexander of DeKalb | Butt      | Fender                |
| Alexander of Fulton | Buxton    | Field of DeKalb       |
| Allen               | Calbeck   | Fields of Crisp       |
| Alley               | Cannon    | Ford                  |
| Anderson of Bullock | Carswell  | Fullbright            |
| Anderson of Chatham | Carter    | Garlington            |
| Armistead           | Chandler  | Gastley               |
| Atherton            | Childs    | Gillis                |
| Atkinson            | Converse  | Godley                |
| Aul;                | Cook      | Graddick              |
| Barksdale           | Cordell   | Griffin of Sumter     |
| Bagley              | Couch     | Griffin of Twiggs     |
| Bailey              | Cowan     | Guyton                |
| Baker               | Culberson | Hall                  |
| Barrett             | Cureton   | Hardeman of Jefferson |
| Beacham             | Daniel    | Hardman of Jackson    |
| Bell                | Davis     | Harrington            |
| Berry               | Dickson   | Harvey                |
| Booker              | Drawdy    | Hatfield              |
| Boyd                | Edmondson | Heard                 |
| Brinson of Decatur  | Edwards   | Helms                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin    |
| Brown of Carroll    | Ellis     | Henderson of Turner   |
| Brown of Fulton     | Ellison   | Hendricks             |
| Brown of Henry      | English   | Hill                  |
| Brown of Murray     | Evans     | Holder of Floyd       |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slad              |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrory             | Smith of Tattall  |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Olive               | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipseed        |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Fierce              | Waddell           |
| Littleton             | Pope                | Walters           |
| Lewis                 | Porter              | Wasden            |
| Lord                  | Pritch              | Watkins           |
| Lovejoy               | Proctor             | White of Screven  |
| Martin                | Reaves              | Whiteley          |
| Meadows of Telfair    | Bedding             | Wight of Grady    |
| Meadows of Toombs     | Reese               | Williams          |
| Middlebrooks          | Reid of Campbell    | Wohlwend          |
| Miller of Calhoun     | Reid of Macon       | Wood              |
| Miller of Ware        | Rentz               | Woodliff          |
| Milikin               | Roberts             | Wright of Floyd   |
| Mitchell              | Rogers              | Wright of Stewart |
| Moore                 | Rosser              | Mr. Speaker       |
| Moss                  | Sheppard            |                   |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bill which

was read the third time and put upon its passage on July 20th, was again taken up for passage, to-wit:

By Mr. Alley, of White—

A bill to amend Section 574, Volume 1, of the Code, relative to road laws.

The substitute offered was adopted on July 20.

The report of the Committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill the ayes were 110; nays 12.

The bill having received the requisite Constitutional majority was passed by substitute.

By unanimous consent the following Senate bills were read the third time and put upon their passage, to-wit:

By Mr. Stevens, of 30th District—

A bill to incorporate the city of Crawford in the county of Oglethorpe.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following bills were read the 3rd time and put upon their passage, to-wit:

By Messrs. Moss and Daniel, of Cobb—

A bill to create a system of Public Schools for the town of Powder Springs.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 113; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Bell, of Cherokee—

A bill to amend Section 982, Volume 1, of the Code, so as to add Canton to list of State Depositories.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 100  
nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following Senate Bill  
were read the second time, to-wit:

By Mr. Mathews, of 23rd District.—

A bill to incorporate the city of Roberta.

By Mr. Mathews of 23rd District—

A bill to repeal an Act to incorporate the town o  
Roberta.

By Mr. Johnson, of 19th District—

A bill to amend an Act to re incorporate the town  
of White Plains.

By unanimous consent the following bills were  
read the first time, to wit:

By Messrs. Kirby and Couch, of Coweta—

A bill to amend the charter of the town of Grant  
ville.

Referred to Committee on Corporations.

By Mr. Gillis, of Emanuel—

A resolution to pay T. F. Cobb \$150.00

Referred to Committee on Special Judiciary.

By Messrs. Ault, of Polk, Vinson, of Baldwin, Barrett, of Stephens—

A bill to amend an Act to provide for the employment of felony and misdemeanor male convicts upon the public roads of this State.

Referred to Committee on Penitentiary.

By Mr. Alexander, of DeKalb—

A resolution providing for a joint Committee to report to the next General Assembly a classification of municipal corporations and a general system of charters therefor.

Referred to Committee on Corporations.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Messrs. Fullbright, of Burke, Garlington, of Richmond—

A bill to amend Section 2279 of the Code of 1895, fixing time when responsibility of common carriers commences, etc.

The time for granting unanimous consents having expired the above bill was carried over as unfinished business.

The following resolution was read, to-wit:

By Mr. Field, of DeKalb—

A resolution to make House Bill No. 340 a special order.

Referred to Committee on Rules.

Mr. Lovejoy, of Troup, moved to re-consider the action of the House in agreeing to take up general bills during to-morrow's session, which motion prevailed.

Mr. Hall, of Bibb, moved to re-consider the action of the House in refusing to pass House Resolution No. 67, relative to adjusting claim of heirs of Sherman J. Sims, which motion prevailed.

Mr. McElreath moved that the House re-consider its action in refusing to pass House Bill No. 137, to appropriate \$35,000 to Technological School, which motion prevailed.

Mr. McMahan, of Clarke, moved that the House re-consider its action in refusing to agree to the favorable report of the Committee on House Bill No.

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71, to appropriate \$25,000 to the State Normal School, which motion was lost.

Mr. Alexander moved to re-consider the action of the House in limiting debate on contested local bill No. 943 which was made the special order for to-day, which motion was lost.

The following bill which was made the special order for this morning was read the third time and put upon its passage, to-wit:

By Messrs McElreath and Brown, of Fulton—

A bill to amend an Act to create a new charter for the city of Atlanta.

On agreeing to the report of the Committee, which was favorable to the passage of the bill, Mr. Alexander, of Fulton, called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                   |
|---------------------|--------------------|-------------------|
| Alexander of DeKalb | Brinson of Decatur | Daniel            |
| Allen               | Brinson of Emanuel | Drawdy            |
| Anderson of Bullock | Brown of Fulton    | Edwards           |
| Atherton            | Brown of Henry     | Ellison           |
| Atkinson            | Buxton             | English           |
| Ault                | Calbeck            | Fairecloth        |
| Barksdale           | Cannon             | Field of DeKalb   |
| Bailey              | Childs             | Fields of Crisp   |
| Barrett             | Converse           | Fullbright        |
| Bell                | Couch              | Graddick          |
| Booker              | Culberson          | Griffin of Sumter |



|                     |                     |                  |
|---------------------|---------------------|------------------|
| Guyton              | Lawrence            | Roberts          |
| Hall                | Littleton           | Rosser           |
| Hardeman of Jeffs'n | Lord                | Sheppard         |
| Hardman of Jackson  | Martin              | Shirley          |
| Harrington          | Milikin             | Simpson          |
| Heard               | Mitchell            | Slade            |
| Hendricks           | Moore               | Smith of Walton  |
| Holder of Floyd     | Moss                | Stovall          |
| Howell              | McCarthy            | Stubbs of Putnam |
| Hubbard             | McConnell           | Tarver           |
| Hullender           | McCrory             | Tippins          |
| Huie                | McCutchen           | Upshaw           |
| Johnson of Bartow   | McElreath           | Walters          |
| Joiner              | McMichael of Marion | Wasden           |
| Jones of Laurens    | Parker of Decatur   | Watkins          |
| Jones of Meriwether | Parker of Talbot    | White of Screven |
| Jones of Mitchell   | Pope                | Whiteley         |
| Keith               | Porter              | Wood             |
| Kennedy             | Reid of Campbell    | Woodliff         |
| Kirby               | Reid of Macon       | Wright of Floyd  |

Those voting in the negative were Messrs.:

|                     |                   |                    |
|---------------------|-------------------|--------------------|
| Adams               | Gillis            | McMichael of Butts |
| Alexander of Fulton | Godley            | McWhorter          |
| Armistead           | Harvey            | Oliver             |
| Baker               | Helms             | Persons            |
| Brown of Murray     | Holtzclaw         | Pickett            |
| Burch               | Kelley            | Price              |
| Carter              | Kidd              | Proctor            |
| Chandler            | Lewis             | Rogers             |
| Cooke               | Lovejoy           | Strong             |
| Cowan               | Miller of Calhoun | Stubbs of Thomas   |
| Davis               | Miller of Ware    | Tracey             |
| Edmondson           | MacFarland        | Tuggle             |
| Elder               | MacIntyre         | Turnipseed         |
| Garlington          | McCurry           | Wight of Grady     |
| Gastley             | McMahan           |                    |

Those not voting were Messrs.:

|                     |         |                  |
|---------------------|---------|------------------|
| Alley               | Beacham | Brown of Carroll |
| Anderson of Chatham | Berry   | Butt             |
| Bagley              | Boyd    | Carswell         |

|                       |                    |                   |
|-----------------------|--------------------|-------------------|
| Cordell               | Johnson of Towns   | Reese             |
| Cureton               | Kendrick           | Rentz             |
| Dickson               | Kiekligher         | Simmons           |
| Ellis                 | Meadows of Telfair | Smith of Gilmer   |
| Evans                 | Meadows of Toombs  | Smith of Tattnall |
| Fender                | Middlebrooks       | Turner            |
| Ford                  | Minter             | Vinson            |
| Griffin of Twiggs     | McArthur           | Waddell           |
| Hatfield              | Paulk              | Williams          |
| Henderson of Irwin    | Peacock            | Wohlwender        |
| Henderson of Turner   | Pierce             | Wright of Stewart |
| Hill                  | Reaves             | Mr. Speaker       |
| Johnson of Jeff Davis | Redding            |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 93; nays 44. The favorable report of the Committee was therefore agreed to.

On the passage of the bill the ayes and nays were ordered on motion of Mr. McElreath, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                     |
|---------------------|--------------------|---------------------|
| Adams               | Brinson of Emanuel | Edwards             |
| Alexander of DeKalb | Brown of Fulton    | Ellison             |
| Allen               | Brown of Henry     | English             |
| Anderson of Bulloch | Buxton             | Faireloth           |
| Anderson of Chatham | Calbeck            | Field of DeKalb     |
| Atherton            | Cannon             | Fields of Crisp     |
| Atkinson            | Childs             | Ford                |
| Ault                | Converse           | Fullbright          |
| Barksdale           | Cooke              | Godley              |
| Bailey              | Cordell            | Griffin of Sumter   |
| Barrett             | Couch              | Guyton              |
| Bell                | Cowan              | Hall                |
| Booker              | Culberson          | Hardeman of Jeffs'n |
| Boyd                | Daniel             | Hardman of Jackson  |
| Brinson of Decatur  | Drawdy             | Harrington          |

|                     |                     |                  |
|---------------------|---------------------|------------------|
| Hendricks           | Milikin             | Shirley          |
| Howell              | Mitchell            | Simpson          |
| Hubbard             | Moore               | Slade            |
| Hullender           | Moss                | Smith of Walton  |
| Huie                | MacFarland          | Stovall          |
| Johnson of Bartow   | McCarthy            | Stubbs of Putnam |
| Joiner              | McConnell           | Tarver           |
| Jones of Laurens    | McCrary             | Tippins          |
| Jones of Meriwether | McCutchen           | Turner           |
| Jones of Mitchell   | McElreath           | Upshaw           |
| Keith               | McMichael of Marion | Vinson           |
| Kennedy             | Parker of Decatur   | Walters          |
| Kicklighter         | Parker of Talbot    | Wasden           |
| Kidd                | Pope                | Watkins          |
| Kirby               | Porter              | White of Screven |
| Lawrence            | Redding             | Whiteley         |
| Lewis               | Reid of Campbell    | Williams         |
| Littleton           | Reid of Macon       | Wood             |
| Lord                | Roberts             | Woodliff         |
| Martin              | Rosser              | Wright of Floyd  |
| Miller of Ware      | Sheppard            |                  |

Those voting in the negative were Messrs.:

|                     |           |                    |
|---------------------|-----------|--------------------|
| Alexander of Fulton | Gillis    | McMichael of Butts |
| Armistead           | Graddick  | McWhorter          |
| Brown of Murray     | Harvey    | Olive              |
| Carter              | Helms     | Pickett            |
| Chandler            | Hill      | Rogers             |
| Davis               | Holtzelaw | Stubbs of Thomas   |
| Edmondson           | Kelley    | Tracey             |
| Elder               | Lovejoy   | Tuggle             |
| Garlington          | MacIntyre | Turnipseed         |
| Gastley             | McMahan   | Wight of Grady     |

Those not voting were Messrs.:

|         |                  |                   |
|---------|------------------|-------------------|
| Alley   | Brown of Carroll | Dickson           |
| Bagley  | Burch            | Ellis             |
| Baker   | Butt             | Evans             |
| Beacham | Carswell         | Fender            |
| Berry   | Cureton          | Griffin of Twiggs |

|                       |                   |                   |
|-----------------------|-------------------|-------------------|
| Hatfield              | Miller of Calhoun | Reese             |
| Heard                 | Minter            | Rentz             |
| Henderson of Irwin    | McArthur          | Simmons           |
| Henderson of Turner   | McCurry           | Smith of Gilmer   |
| Holder of Floyd       | Paulk             | Smith of Tattnall |
| Johnson of Jeff Davis | Peacock           | Strong            |
| Johnson of Towns      | Persons           | Waddell           |
| Kendrick              | Pierce            | Wohlwender        |
| Meadows of Telfair    | Price             | Wright of Stewart |
| Meadows of Toombs     | Proctor           | Mr. Speaker       |
| Middlebrooks          | Reaves            |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 107; nays, 30.

The bill having received the requisite Constitutional majority was passed.

On motion of Mr. Moss, of Cobb, the session of the House was extended for the purpose of :

Reading Committee Reports.

Reading bills first time.

Reading House and Senate Bills second time.

By Mr. Jones, of Meriwether—

A bill to amend Paragraph 3, Section 2, Article 5, of the Constitution.

By Mr. Moss, of Cobb—

A bill to authorize the holding of an election in Marietta for the issuance of bonds for water works.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a new charter for the city of Marietta.

The two above bills were recommitted.

The following resolutions which were made a special order was read the third time and put upon its passage, to-wit:

By Mr. Calbeck, of Gordon—

A resolution to appropriate \$2,500 for the purpose of building a wall around Resaca Cemetery.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman Mr. Vinson, of Baldwin.

After considering the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended.

The Committee proposed to amend by striking “\$2,500” wherever the same occurs and insert in lieu thereof the figures “\$1,500.” The amendment was adopted.

The ayes and nays were called and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Adams               | Field of DeKalb     | McCarthy            |
| Alexander of DeKalb | Ford                | McConnell           |
| Allen               | Garlington          | McCrary             |
| Anderson of Chatham | Gillis              | McCurry             |
| Armistead           | Graddick            | McCutchen           |
| Atherton            | Griffin of Sumter   | McMahan             |
| Atkinson            | Guyton              | McMichael of Butts  |
| Ault                | Hall                | McMichael of Marion |
| Barksdale           | Hardeman of Jeffs'n | McWhorter           |
| Bailey              | Hardman of Jackson  | Oliver              |
| Baker               | Harvey              | Parker of Decatur   |
| Barrett             | Helms               | Parker of Talbot    |
| Bell                | Hendricks           | Pickett             |
| Booker              | Hill                | Pierce              |
| Brinson of Decatur  | Holtzelaw           | Pope                |
| Brinson of Emanuel  | Howell              | Porter              |
| Brown of Fulton     | Hubbard             | Price               |
| Brown of Henry      | Hullender           | Proctor             |
| Brown of Murray     | Huie                | Redding             |
| Burch               | Johnson of Bartow   | Reid of Campbell    |
| Buxton              | Jones of Laurens    | Roberts             |
| Calbeck             | Jones of Meriwether | Rogers              |
| Cannon              | Jones of Mitchell   | Rosser              |
| Carter              | Keith               | Sheppard            |
| Chandler            | Kelley              | Shirley             |
| Childs              | Kennedy             | Simpson             |
| Converse            | Kidd                | Slade               |
| Cooke               | Kirby               | Smith of Gilmer     |
| Cordell             | Lewis               | Smith of Walton     |
| Couch               | Littleton           | Stovall             |
| Culberson           | Lord                | Strong              |
| Daniel              | Lovejoy             | Stubbs of Thomas    |
| Davis               | Martin              | Tarver              |
| Drawdy              | Miller of Calhoun   | Tippins             |
| Edmondson           | Miller of Ware      | Tuggle              |
| Edwards             | Milikin             | Turner              |
| Elder               | Mitchell            | Turnipseed          |
| Ellison             | Moore               | Upshaw              |
| English             | Moss                | Vinson              |
| Fairecloth          | MacFarland          | Waddell             |

|          |                |                 |
|----------|----------------|-----------------|
| Walters  | Wight of Grady | Woodliff        |
| Watkins  | Williams       | Wright of Floyd |
| Whiteley | Wood           |                 |

Those voting in the negative were Messrs.:

|                 |         |                  |
|-----------------|---------|------------------|
| Fields of Crisp | Gastley | MacIntyre        |
| Fullbright      | Godley  | Stubbs of Putnam |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Alexander of Fulton | Harrington            | McElreath         |
| Alley               | Hatfield              | Paulk             |
| Anderson of Bullock | Heard                 | Peacock           |
| Bagley              | Henderson of Irwin    | Persons           |
| Beacham             | Henderson of Turner   | Reaves            |
| Berry               | Holder of Floyd       | Reese             |
| Boyd                | Johnson of Jeff Davis | Reid of Macon     |
| Brown of Carroll    | Johnson of Towns      | Rentz             |
| Butt                | Joiner                | Simmons           |
| Carswell            | Kendrick              | Smith of Tattnall |
| Cowan               | Kicklighter           | Tracey            |
| Cureton             | Lawrence              | Waden             |
| Dickson             | Meadows of Telfair    | White of Screven  |
| Ellis               | Meadows of Toombs     | Wohlwender        |
| Evans               | Middlebrooks          | Wright of Stewart |
| Fender              | Minter                | Mr. Speaker       |
| Griffin of Twiggs   | McArthur              |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 128, nays, 6.

The resolution having received the requisite Constitutional majority was passed.

By Mr. Moore, of Columbia—

A resolution to pay Mrs. R. A. Lynn the pension due her.

An appropriation being involved the Speaker resolved the House in the Committee of the whole and designated as Chairman, Mr. Alexander, of Fulton.

After a consideration of the resolution the Committee arose and through its Chairman, reported the same back with the recommendation that it do pass.

The favorable report of the Committee was agreed to.

The ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                |                    |
|---------------------|----------------|--------------------|
| Adams               | Brown of Henry | Faireloth          |
| Alexander of DeKalb | Calbeck        | Field of DeKalb    |
| Alexander of Fulton | Carter         | Fields of Crisp    |
| Allen               | Chandler       | Ford               |
| Anderson of Chatham | Childs         | Fullbright         |
| Armistead           | Converse       | Garlington         |
| Atherton            | Cooper         | Gastley            |
| Atkinson            | Cordell        | Gillis             |
| Ault                | Couch          | Graddick           |
| Barksdale           | Culberson      | Griffin of Sumter  |
| Baker               | Daniel         | Guyton             |
| Barrett             | Drawdy         | Hall               |
| Bell                | Edmondson      | Hardman of Jackson |
| Booker              | Edwards        | Harrington         |
| Brinson of Decatur  | Elder          | Helms              |
| Brown of Fulton     | English        | Hill               |



|                     |                    |                  |
|---------------------|--------------------|------------------|
| Holtzclaw           | McCutchen          | Smith of Walton  |
| Hullender           | McElreath          | Stovall          |
| Huie                | McMahan            | Strong           |
| Jones of Laurens    | McMichael of Butts | Stubbs of Putnam |
| Jones of Meriwether | McWhorter          | Tarver           |
| Kelley              | Oliver             | Tippins          |
| Kendrick            | Parker of Talbot   | Tuggle           |
| Kirby               | Pickett            | Turner           |
| Lewis               | Pop                | Turnipseed       |
| Littleton           | Porter             | Upshaw           |
| Lord                | Prica              | Vinson           |
| Lovejoy             | Proctor            | Waddell          |
| Martin              | Redding            | Walters          |
| Miller of Ware      | Reid of Campbell   | Watkins          |
| Milikin             | Roberts            | White of Screven |
| Moore               | Rogers             | Whiteley         |
| Moss                | Rosser             | Wight of Grady   |
| MacFarland          | Sheppard           | Williams         |
| MacIntyre           | Shirley            | Wood             |
| McConnell           | Simpson            | Woodliff         |
| McCrory             | Slade              |                  |
| McCurry             | Smith of Gilmer    |                  |

Those not voting were Messrs.:

|                     |                     |                       |
|---------------------|---------------------|-----------------------|
| Alley               | Davis               | Hubbard               |
| Anderson of Bullock | Dickson             | Johnson of Bartow     |
| Bagley              | Ellis               | Johnson of Jeff Davis |
| Bailey              | Elison              | Johnson of Towns      |
| Beacham             | Evans               | Joiner                |
| Berry               | Fender              | Jones of Mitchell     |
| Boyd                | Godley              | Keith                 |
| Brinson of Emanuel  | Griffin of Twiggs   | Kennedy               |
| Brown of Carroll    | Hardeman of Jeffs'n | Kicklighter           |
| Brown of Murray     | Harvey              | Kidd                  |
| Burch               | Hatfield            | Lawrence              |
| Butt                | Heard               | Meadows of Telfair    |
| Buxton              | Henderson of Irwin  | Meadows of Toombs     |
| Cannon              | Henderson of Turner | Middlebrooks          |
| Carswell            | Hendricks           | Miller of Calhoun     |
| Cowan               | Holder of Floyd     | Minter                |
| Cureton             | Howell              | Mitchell              |

|                     |                   |                   |
|---------------------|-------------------|-------------------|
| McArthur            | Niereo            | Stubbs of Thomas  |
| McCarthy            | Reaves            | Tracey            |
| McMichael of Marion | Reese             | Wasden            |
| Parker of Decatur   | Reid of Macon     | Wohlwender        |
| Paulk               | Rentz             | Wright of Floyd   |
| Peacock             | Simmons           | Wright of Stewart |
| Persons             | Smith of Tattnall | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 112, nays, 0.

The resolution having received the requisite Constitutional majority was passed.

The regular hour of adjournment having arrived the business for which the session was extended was taken up.

Mr. Fullbright, Chairman of Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills of the House and instruct me, as its Chairman, to report them back with the following recommendations:

House Bill No. 928 -To abolish the County Court of Morgan county. Do pass.

House Bill No. 929—To create City Court of Madison. Do pass.

House Bill No. 930—To amend the charter of Madison. Do pass.

House Bill No. 994—To amend City Court of Fitzgerald. Do pass.

House Bill No. 996—To regulate the purchase and slaughter of animals in Ben Hill county. Do pass.

House Bill No. 997—To divide Ben Hill county into three road districts. Do pass.

House Bill No. 991—To amend Act creating City Court of Swainsboro. Do pass.

House Bill No. 981—To repeal Act creating Board of Commissioners for Franklin county. Do pass as amended.

House Bill No. 958—To amend charter of Marietta. Do pass.

House Bill No. 960—To authorize bond election for Marietta. Do pass.

House Bill No. 962—To authorize Marietta to hold bond election for waterworks. Do pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. White, Chairman of the Committee on Pensions, submitted the following:

*Mr. Speaker:*

The Committee on Pensions having had under consideration the following bill, to-wit: House Bill No. 987 return the same with the recommendation that the same do pass.

WHITE, Chairman.

This 22d day of July, 1910.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. Speaker:*

Your Committee on Constitutional Amendments has had under consideration the following bills and have authorized me, as their Chairman, to report the same to the House with the following recommendation:

Senate Bill No. 243—Do pass.

House Bill No. 893—Do pass.

House Bill No. 984—Do pass.

House Bill No. 861—Do not pass.

PERSONS, Chairman.

The following bills were read the first time, to-wit:

By Mr. Hill, of Monroe—

A bill to amend an Act to regulate the holding of primary elections.

Referred to Committee on General Judiciary.

By Mr. Jones, of Meriwether—

A resolution to make appropriation to meet deficiency in printing fund.

Referred to Committee on Appropriations.

By Mr. Faircloth, of Johnson—

A bill to amend the charter of the town of Kite.

Referred to Committee on Corporations.

By Mr. Fullbright, of Burke—

A bill to amend an Act to authorize the publication of certain Georgia Reports.

Referred to Committee on Special Judiciary.

The following bills were read the second time, to-wit:

By Mr. Moss, of Cobb—

A bill to authorize the Mayor and Council of Marietta to hold an election to determine whether or not bonds shall be issued for waterworks.

By Mr. Moss, of Cobb—

A bill to authorize the Mayor and Council of Marietta to hold an election to determine whether or not bonds shall be issued for extension of sewerage.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a new charter for Marietta.

By Mr. Chandler, of Franklin—

A bill to repeal Act to create the office of Commissioner of Roads and Revenues for Franklin county

By Messrs. Brinson and Gillis, of Emanuel—

A bill to amend an Act to create the City Court of Swainsboro.

By Mr. Dickson, of Ben Hill—

A bill to amend Act to prescribe the duties of Commissioners of Roads and Revenues for Ben Hill county.

By Mr. Dickson, of Ben Hill—

A bill to regulate the slaughtering of cattle in Ben Hill county.

By Mr. Dickson, of Ben Hill—

A bill to amend an Act to create the City Court of Fitzgerald.

By Mr. Atkinson, of Morgan—

A bill to amend an Act to create the new charter of Madison.

By Mr. Atkinson, of Morgan—

A bill to create the City Court of Madison.

By Mr. Atkinson, of Morgan—

A bill to repeal an Act to create the County Court of Morgan county.

By Mr. White, of Screven—

A bill to provide for an appointment of an assistant to the Pension Commissioner.

By Mr. McCrory, of Schley—

A bill to amend Article 7, Section 2, Paragraph 1, of the Constitution of 1877.

Leave of absence was granted Mr. Armistead, of Oglethorpe, business; Wood, of Banks, business; Booker, of Wilkes, business; Parker, of Talbot, business; Elder, of Oconee, business; Waddell, of Haralson, business; Ellison, of Harris, business; Huie, of Clayton, business; Edwards, of Walton, business; Brown, of Henry, business; Price, of Bartow, business; Heard, of Dooly, business; Daniell, of Cobb, business; Lord, of Washington, business; Johnson, of Jeff Davis, business; Middlebrooks, of Newton, business; Hardman, of Jackson, business; Henderson, of Turner, business.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock P. M.

The House re-convened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

|                     |                     |           |
|---------------------|---------------------|-----------|
| Adams               | Alley               | Atherton  |
| Alexander of DeKalb | Anderson of Bullock | Atkinson  |
| Alexander of Fulton | Anderson of Chatham | Ault      |
| Allen               | Armistead           | Barksdale |



|                    |                       |                     |
|--------------------|-----------------------|---------------------|
| Bagley             | Fender                | Kidd                |
| Bailey             | Field of DeKalb       | Kirby               |
| Bake:              | Fields of Crisp       | Lawrence            |
| Barrett            | Ford                  | Lewis               |
| Beacham            | Fullbright            | Littleton           |
| Bell               | Garlington            | Lord                |
| Berry              | Gastley               | Lovejoy             |
| Booker             | Gillis                | Martin              |
| Boyd               | Godley                | Meadows of Telfair  |
| Brinson of Decatur | Graddick              | Meadows of Toombs   |
| Brinson of Emanuel | Griffin of Sumter     | Middlebrooks        |
| Brown of Carrol    | Griffin of Twiggs     | Miller of Calhoun   |
| Brown of Fulton    | Guyton                | Miller of Ware      |
| Brown of Henry     | Hall                  | Milikin             |
| Brown of Murray    | Hardeman of Jeffs'n   | Minter              |
| Burch              | Hardman of Jackson    | Mitchell            |
| Butt               | Harrington            | Moore               |
| Buxton             | Harvey                | Moss                |
| Calbeck            | Hatfield              | MacFarland          |
| Cannon             | Heard                 | MacIntyre           |
| Carswell           | Helms                 | McArthur            |
| Carter             | Henderson of Irwin    | McCarthy            |
| Chandler           | Henderson of Turner   | McConnell           |
| Childs             | Hendricks             | McCrary             |
| Converso           | Hill                  | McCurry             |
| Cooke              | Holder of Floyd       | McCutchen           |
| Cordell            | Holtzelaw             | McElreath           |
| Couch              | Howell                | McMahan             |
| Cowan              | Hubbard               | McMichael of Butts  |
| Culbertson         | Hullender             | McMichael of Marion |
| Cureton            | Huie                  | McWhorter           |
| Daniel             | Johnson of Bartow     | Oliver              |
| Davis              | Johnson of Jeff Davis | Parker of Decatur   |
| Dickson            | Johnson of Towns      | Parker of Talbot    |
| Drawdy             | Joiner                | Paulk               |
| Edmondson          | Jones of Laurens      | Peacock             |
| Edwards            | Jones of Meriwether   | Persons             |
| Elder              | Jones of Mitchell     | Pickett             |
| Ellis              | Keith                 | Pierce              |
| Ellison            | Kelley                | Pope                |
| English            | Kendrick              | Porter              |
| Evans              | Kennedy               | Price               |
| Faireloth          | Kicklighter           | Proctor             |

|                  |                   |                   |
|------------------|-------------------|-------------------|
| Reaves           | Smith of Tattnall | Walters           |
| Redding          | Smith of Walton   | Wasden            |
| Reese            | Stovall           | Watkins           |
| Reid of Campbell | Strong            | White of Screven  |
| Reid of Macon    | Stubbs of Putnam  | Whiteley          |
| Rentz            | Stubbs of Thomas  | Wight of Grady    |
| Roberts          | Tarver            | William           |
| Rogers           | Tippins           | Wohlwender        |
| Rosser           | Tracey            | Wood              |
| Sheppard         | Tuggle            | Woodliff          |
| Shirley          | Turner            | Wright of Floyd   |
| Simmons          | Turnipseed        | Wright of Stewart |
| Simpson          | Upshaw            | Mr. Speaker       |
| Slade            | Vinson            |                   |
| Smith of Gilmer  | Waddell           |                   |

The following resolutions which were the special orders for this afternoon's session were read the third time and put upon their passage, to-wit:

By Messrs. Reid, of Campbell and Alexander, of DeKalb—

A resolution to appropriate \$281.25 to pay balance past due salary for 1909 of Assistant Librarians.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman, Mr. Garlington, of Richmond.

After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The favorable report of the Committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                    |
|---------------------|-----------------------|--------------------|
| Adams               | Fender                | Martin             |
| Alexander of DeKalb | Field of DeKalb       | Miller of Calhoun  |
| Alexander of Fulton | Fields of Crisp       | Miller of Ware     |
| Atherton            | Ford                  | Milikin            |
| Atkinson            | Fullbright            | Mitchell           |
| Ault                | Garlington            | Moore              |
| Barksdale           | Gastley               | Moss               |
| Baker               | Gillis                | MacFarland         |
| Barrett             | Godley                | MacIntyre          |
| Bell                | Graddick              | McCarthy           |
| Berry               | Guyton                | McConnell          |
| Brinson of Decatur  | Hall                  | McCutchen          |
| Brinson of Emanuel  | Hardeman of Jefferson | McElreath          |
| Brown of Henry      | Harrington            | McMahan            |
| Brown of Murray     | Harvey                | McMichael of Butts |
| Buxton              | Holder of Floyd       | McWhorter          |
| Calbeck             | Holtzelaw             | Olive              |
| Cannon              | Hubbard               | Parker of Decatur  |
| Carter              | Hullender             | Persons            |
| Chandler            | Huie                  | Pierce             |
| Childs              | Johnson of Bartow     | Pope               |
| Converse            | Joiner                | Porter             |
| Cooke               | Jones of Laurens      | Price              |
| Cordell             | Jones of Meriwether   | Proctor            |
| Couch               | Jones of Mitchell     | Reid of Campbell   |
| Cowan               | Keith                 | Reid of Macon      |
| Culbertson          | Kelley                | Roberts            |
| Daniel              | Kennedy               | Rosser             |
| Davis               | Kidd                  | Sheppard           |
| Drawdy              | Kirby                 | Shirley            |
| Ellison             | Lewis                 | Simpson            |
| English             | Littleton             | Slade              |
| Fairecloth          | Lord                  | Smith of Gilmer    |

|                  |            |                  |
|------------------|------------|------------------|
| Smith of Walton  | Turner     | White of Screven |
| Stovall          | Turnipseed | Whiteley         |
| Strong           | Upshaw     | Wight of Grady   |
| Stubbs of Thomas | Vinson     | William          |
| Tarver           | Waddell    | Woodliff         |
| Tippins          | Walters    | Wright of Floyd  |
| Tracey           | Wasden     |                  |
| Tuggle           | Watkins    |                  |

Those not voting were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Allen               | Evans                 | Minter              |
| Alley               | Griffin of Sumter     | McArthur            |
| Anderson of Bullock | Griffin of Twiggs     | McCrory             |
| Anderson of Chatham | Hardman of Jackson    | McCurry             |
| Armistead           | Hatfield              | McMichael of Marion |
| Bagley              | Heard                 | Parker of Talbot    |
| Bailey              | Helms                 | Paulk               |
| Beacham             | Henderson of Irwin    | Peacock             |
| Booker              | Henderson of Turner   | Pickett             |
| Boyd                | Hendricks             | Reaves              |
| Brown of Carroll    | Hill                  | Redding             |
| Brown of Fulton     | Howell                | Reese               |
| Burch               | Johnson of Jeff Davis | Rentz               |
| Butt                | Johnson of Towns      | Rogers              |
| Carswell            | Kendrick              | Simmons             |
| Cureton             | Kicklighter           | Smith of Tattnall   |
| Dickson             | Lawrence              | Stubbs of Putnam    |
| Edmondson           | Lovejoy               | Wohlwender          |
| Edwards             | Meadows of Telfair    | Wood                |
| Elder               | Meadows of Toombs     | Wright of Stewart   |
| Ellis               | Middlebrooks          | Mr. Speaker         |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 121, nays, 0.

The resolution having received the requisite Constitutional majority was passed.

By Mr. Stubbs, of Putnam—

A resolution to refund \$50.00 to Jno. D. Walker, et al., paid for charter.

An appropriation being involved the Speaker resolved the House into a Committee of the whole with Mr. Upshaw, of Douglas, in the Chair.

After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended.

On motion of Mr. Fields, of Dooly, the resolution was tabled.

By Mr. Jones, of Meriwether

A resolution to appropriate money for renovating and re-decorating of State Library.

On motion of Mr. Jones the resolution was tabled.

By unanimous consent the following resolution was taken from the table and placed on its passage, to-wit:

By Mr. Alexander, of DeKalb—

A resolution to pay Susanna B. Smith a pension.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman, Mr. Tarver, of Whitfield.

After a consideration of the resolution the Committee arose and reported progress and asked leave to sit again.

Mr. Fullbright moved to adjourn, which motion prevailed.

Leave of absence was granted Mr. Simpson, business; Jones, of Lawrence, business; Upshaw, of Douglas, business; Reid, of Macon, business.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

SATURDAY, July 23, 1910.

The House met pursuant to adjournment at 9:30 a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following bills of the House and instruct me, as their Chairman, to report same back to the House with the recommendation that same do pass by substitute, to-wit:

A bill to require certain corporations to furnish stockholders semi-annual statements.

And the following do pass as amended.

A bill to amend Section 2780 of Code relative to lien of judgments.

A bill to amend Section 2783, Code of 1895, relative to lien of judgments against non-residents.

A bill to amend Section 2779 relative to time when lien of judgments shall take effect.

Also the following bills of House with the recommendation that same do pass, to-wit:

A bill to authorize Board of County Commissioners of Bibb county to issue bonds for certain purposes.

A bill to amend Act approved August 23, 1905, relative to building and loan associations.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to repeal Sections 871, 872 and 873, Code of 1895, relative to record of tax defaulters.

A bill to amend Section 787, Volume 1, Code of 1895, relative to taxes due counties by railroads.

Also the following bill of the Senate with the recommendation that same do not pass, to-wit:

A bill to provide for the re-arrangement of the judicial circuits of this State.

Respectfully submitted,

JOSEPH H. HALL, Chairman.



Mr. Fullbright, Chairman of Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me, as their Chairman, to report them back with the following recommendation.

House Bill No. 766—To regulate the sale of convict made goods. Do pass by substitute as amended.

House Bill No. 959—To amend an Act to authorize the city of Marietta to hold bond election. Do pass.

House Bill No. 961—Amend charter of Marietta. Do pass as amended.

Senate Bill No. 215—To prohibit the exhibition of moving pictures representing prize fights, etc. Do pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

The following bills were read the second time, to-wit:

By Mr. Alexander, of DeKalb—

A bill to amend Section 2779 of the Code.

By Mr. Alexander, of DeKalb—

A bill to amend Section 2783 of the Code.

By Mr. Hall, of Bibb—

A bill to authorize Bibb county to issue bonds for county purposes.

By Mr. Hall, of Bibb—

A bill to amend and construe an Act to amend Section 2388 of Civil Code.

By Mr. Edwards, of Walton—

A bill to require certain stock companies, etc., to render semi-annual statements.

By Mr. Alexander, of Fulton—

A bill to regulate the sale of convict made goods.

By Mr. Alexander, of DeKalb—

A bill to amend Section 2780 of the Code of 1895.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Dickson, of Ben Hill—

A bill to amend an Act to prescribe the powers and duties of the Commissioners of Ben Hill county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Dickson, of Ben Hill—

A bill to regulate the slaughtering, etc., of cattle in Ben Hill county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to authorize an election held in Marietta to determine whether or not bonds shall be issued for the extension of waterworks system.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to authorize Marietta to issue bonds for improvement of waterworks.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb —

A bill to authorize the city of Marietta to hold an election for the issuance of bonds for extension of sewerage.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a new charter for the city of Marietta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hullender, of Catoosa—

A bill to repeal an Act to incorporate the town of Boynton.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 97, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Ford, of Worth—

A bill to regulate the preparation of live stock for market in Worth county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Williams, of Madison—

A bill to repeal an Act to create the office of Commissioner of Roads and Revenues for Madison Co.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Jones, of Mitchell—

A bill to repeal an Act to incorporate the town of Maples.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McElreath, of Fulton—

A bill to amend an Act to provide a new charter for East Point.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Calhoun—

A bill to provide a new charter for the town of Arlington.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Calhoun—

A bill to amend an Act to create the city of Edison.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to amend an Act to amend an Act to incorporate the town of Austell.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.



The bill having received the requisite Constitutional majority was passed.

By Mr. Roberts, of Dodge—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Dodge Co.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110  
nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Chandler, of Franklin—

A bill to repeal an Act to create the office of Commissioner of Roads and Revenues for Franklin Co

The Committee proposed to amend as follows which was adopted, to-wit:

To amend caption of bill by adding thereto the following “and providing for the ratification or rejection of the provisions of this Act by a majority of the qualified voters of Franklin county, voting at an election to be held in and for said county to determine said question to provide for the holding and

management of said election, and declaring the result thereof, and for other purposes.”

Also to amend by inserting before the repealing clause the following Section:

“SECTION 2. The provisions of this Act shall not become effective until submitted to a vote of the qualified voters of Franklin county as herein provided. At the general election to be held on the first Wednesday in October next, the qualified voters of Franklin county, who favor abolishing the office of Commissioner of Roads and Revenues, shall have written or printed on their ballots, for which purpose separate ballots shall be provided, the following words: “For abolishing the office of Commissioner of Roads and Revenues” and those who oppose abolishing the office shall have written or printed on their ballots the following words: “Against abolishing the office of Commissioner of Roads and Revenues.” Should a majority of the qualified voters of said county, voting at said election upon said question vote for “abolishing the office of Commissioner of Roads and Revenues,” then and in that event this Act shall become of full force and effect on and after the first day of November, 1910, and not otherwise.

The managers and superintendents of said general election are hereby constituted the managers and superintendents of the election herein provided for and are hereby required to keep two separate

tally sheets and lists of voters for said election. The vote shall be consolidated as the vote in the general election and the returns thereof made to the Ordinary of said county and said Ordinary shall declare the result of said election. Also

To renumber the repealing clause as Sec. 3.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 107  
nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Williams, of Madison—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Madison.

The following amendment proposed by the Committee was adopted, to-wit:

To amend by striking from Section 10 the entire last sentence.

The favorable report of the Committee as amended was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a new charter for the city of Marietta.

The following amendments were adopted, to-wit:

To amend by inserting “one-half” after the word “for” in line 5, Sec. 40.

To amend by inserting the word “one-half” after word “for” and before the word “the” in line 10, Sec. 40.

To amend by striking the word “the” after word “same” in line 10 to the word “material” in line 11.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 93, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Woodliff, of Forsyth—

A bill to amend and revise the several Acts to incorporate the town of Cumming.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Alexander, Brown and McElreath—

A bill to amend an Act to repeal all laws to incorporate the city of Manchester.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Brown, of Carroll—

A bill to amend and consolidate the laws to incorporate the town of Bowden.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Jones, of Mitchell—

A bill to incorporate Sale City in Mitchell county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Atkinson, of Morgan—

A bill to amend the new charter of Madison.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 93, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Davis, of Dougherty—

A bill to create a new charter for the city of Albany.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 111, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Wight, of Grady—

A bill to incorporate the town of Pine Park.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Edmondson of Chattooga—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Chattooga county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Stubbs, of Putnam—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the county of Putnam.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.



By Mr Rosser, of Walker—

A bill to amend the charter of Rossville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Lord and Joiner, of Washington—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Washington county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Walters, of Colquitt—

A bill to amend the charter of the town of Doerun.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Couch and Kirby, of Coweta—

A bill to create a system of public schools for Senoia.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 107, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following bills of the Senate were read the second time:

By Mr. Sellars, of 3d district —

A bill to prohibit the exhibition of moving pictures representing prize-fights between members of different races.

By Mr. Price, of 27th district—

A bill to amend Section 420 Penal Code relative to running of freight trains on Sunday.

By Mr. Irwin, of 11th district—

A bill to amend Act approved December 19th, 1900, relative to Confederate Soldiers' Home.

By Messrs. Slaton, Morris and Slater—

A bill to amend the Constitution of the State so as to supplement the salaries of certain Superior Court judges.

By Messrs. Perry, of 33d district and McDowell, of 19th district—

A bill to increase the salaries of the justices of the Supreme Court.

The following bills of the Senate were read the third time and put upon their passage:

By Mr. Matthews, of 23d district—

A bill to repeal an Act to incorporate the town of Roberta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Matthews, of 23d district—

A bill to incorporate the city of Roberta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Johnson, of 19th district—

A bill to amend Act to reincorporate the town of White Plains.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite Constitutional majority was passed.

The following bill of the Senate was recommitted to the Committee on Special Judiciary.

By Mr. Irwin, of 11th district—

A bill to create the city of Cuthbert.

Mr. Lewis, of Hancock, moved to adjourn and on that motion Mr. Mitchell, of Thomas, called for the ayes and nays.

No quorum having voted on the above motion the Speaker directed the Clerk to call the roll and the following members answered to their names:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Alexander of DeKalb | Culberson             | Jones of Meriwether |
| Alexander of Fulton | Davis                 | Jones of Mitchell   |
| Atherton            | Drawdy                | Keith               |
| Atkinson            | English               | Kelley              |
| Ault                | Fairecloth            | Kirby               |
| Barksdale           | Fender                | Lewis               |
| Bailey              | Fields of Crisp       | Littleton           |
| Baker               | Ford                  | Martin              |
| Barrett             | Fullbright            | Miller of Calhoun   |
| Bell                | Garlington            | Miller of Ware      |
| Berry               | Gastley               | Mitchell            |
| Brinson of Decatur  | Gillis                | Moore               |
| Brinson of Emanuel  | Godley                | Moss                |
| Burch               | Graddick              | MacIntyre           |
| Buxton              | Guyton                | McCarthy            |
| Calbeck             | Hardeman of Jefferson | McConnell           |
| Cannon              | Harrington            | McCutchen           |
| Chandler            | Harvey                | McElreath           |
| Childs              | Hendricks             | McMahan             |
| Converse            | Hubbard               | McWhorter           |
| Cooke               | Hullender             | Olive               |
| Cordell             | Johnson of Bartow     | Parker of Decatur   |
| Couch               | Joiner                | Pierce              |

|          |                   |                  |
|----------|-------------------|------------------|
| Popo     | Smith of Gilmer   | Turnipsced       |
| Porter   | Smith of Tattnall | Vinson           |
| Proctor  | Smith of Walton   | Walters          |
| Robert   | Stovall           | White of Screven |
| Rogers   | Strong            | Whiteley         |
| Rosser   | Stubbs of Putnam  | Wight of Grady   |
| Sheppard | Stubbs of Thomas  | William          |
| Shirley  | Tracey            | Wright of Floyd  |
| Slade    | Tuggle            | Mr. Speaker      |

Those absent were Messrs:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Hall                  | McCurry             |
| Allen               | Hardman of Jackson    | McMichael of Butts  |
| Alley               | Hatfield              | McMichael of Marion |
| Anderson of Bullock | Heard                 | Parker of Talbot    |
| Anderson of Chatham | Helms                 | Paulk               |
| Armistead           | Henderson of Irwin    | Peacock             |
| Bagley              | Henderson of Turner   | Persons             |
| Beacham             | Hill                  | Pickett             |
| Booker              | Holder of Floyd       | Priea               |
| Boyd                | Holtzelaw             | Reaves              |
| Brown of Carroll    | Howell                | Redding             |
| Brown of Fulton     | Huie                  | Reese               |
| Brown of Henry      | Johnson of Jeff Davis | Reid of Campbell    |
| Brown of Murray     | Johnson of Towns      | Reid of Macon       |
| Butt                | Jones of Laurens      | Rentz               |
| Carswell            | Kendrick              | Simmons             |
| Carter              | Kennedy               | Simpson             |
| Cowan               | Kicklighter           | Tarver              |
| Cureton             | Kidd                  | Tippins             |
| Daniel              | Lawrence              | Turner              |
| Dickson             | Lord                  | Upshaw              |
| Edmondson           | Lovejoy               | Waddell             |
| Edwards             | Meadows of Telfair    | Warden              |
| Elder               | Meadows of Toombs     | Watkins             |
| Ellis               | Middlebrooks          | Wohlwend            |
| Ellison             | Milikin               | Wood                |
| Evans               | Minter                | Woodliff            |
| Field of DeKalb     | MacFarland            | Wright of Stewart   |
| Griffin of Sumter   | McArthur              |                     |
| Griffin of Twiggs   | McCrory               |                     |

The call of the roll disclosed the fact that 96 members were present.

Leave of absence was granted Mr. Kelley, of Jasper, business.

The Speaker then announced the House adjourned until 9:30 o'clock Monday morning.

## ATLANTA, GEORGIA,

MONDAY, July 25, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Faireloth           |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bullock | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converse  | Godley              |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Decatur  | Edwards   | Helms               |
| Brinson of Emanuel  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hill                |
| Brown of Murray     | Evans     | Holder of Floyd     |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnall |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Oliver              | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Pierce              | Waddell           |
| Littleton             | Popa                | Walters           |
| Lord                  | Porter              | Wasden            |
| Lovejoy               | Price               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | Williams          |
| Miller of Calhoun     | Reid of Campbell    | Wohlwender        |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Roberts             | Wright of Floyd   |
| Moore                 | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

By unanimous consent the following bills were

read the third time and put upon their passage, to-wit:

By Mr. Hall, of Bibb—

A bill to authorize the county of Bibb to issue and sell bonds for certain county purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid, of Macon—

A bill to amend an Act to create the City Court of Oglethorpe.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Anderson, Lawrence and McCarthy, of Chatham—

A bill to amend an Act authorizing the establishment of farms as places of confinement for certain persons.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Calbeck, of Gordon—

A bill to repeal an Act to amend the road laws of the State of Georgia.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Atkinson, of Morgan—

A bill to establish the City Court of Madison.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Atkinson, of Morgan—

A bill to repeal an Act creating the County Court of Morgan county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Lewis, of Hancock—

A bill to amend an Act to amend an Act to create a system of public schools for the town of Sparta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 114, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Peacock, of Pulaski—

A bill to abolish the City Court of Pulaski county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 111, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Roberts, of Dodge —

A bill to amend an Act to amend an Act to create the City Court of Eastman.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Calhoun—

A bill to amend Section 982, Volume 1 of the Code so as to add Edison to list of State depositories.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Meadows, of Telfair—

A bill to amend an Act to incorporate the town of Helena.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Brinson and Gillis, of Emanuel—

A bill to amend an Act to create the City Court of Swainsboro.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Jones, of Mitchell; Davis, of Dougherty—

A bill to change the time of holding the Superior Courts of Dougherty and Mitchell counties.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Dickson, of Ben Hill—

A bill to amend an Act to create the City Court of Fitzgerald.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Wood, of Banks—

A bill to create a Board of Commissioners for the county of Banks.

Mr. Wood proposed to amend as follows:

To amend by striking from said bill the sentence beginning at the center of line 14 and closing in line 17 and inserting in lieu of said sentence the following: "One of the Commissioners elected under this Act shall be voted for as Chairman and so designated on the ballots and said Chairman shall hold his office for the term of four years. The other two commissioners shall be elected for a term of two years each and each of said commissioners shall serve until their successors are elected and qualified."

To amend Section 8 by striking "\$3,000" wherever the same occurs and insert "\$5,000."

The amendments were adopted.

The favorable report of the Committee was agreed to as amended.



On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Tracy, of Webster—

A bill to fix the salary of the Treasurer of Webster county.

The following amendment proposed by the Committee was adopted:

To amend by adding the following words, viz.:  
“And fifty” after words “Two hundred.”

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 93, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By unanimous consent House Bill No. 999 was taken from the Committee on Corporations and re-referred to the Committee on Special Judiciary.

Mr. Garlington, Chairman of the Committee on Game and Fish, submitted the following report:

*Mr. Speaker:*

Your Committee on Fish and Game having had under consideration House Bill No. 779—a local bill relative to hunting of foxes in White county—beg leave to recommend that said bill do pass.

GARLINGTON, Chairman.

Mr. Fullbright, Chairman of Committee on Special Judiciary, made the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me, as their Chairman, to report them back as follows:

House Bill No. 925—To provide for the purchase of certain Georgia Reports. Do pass by substitute.

House Bill No. 1002—To amend an Act to authorize and direct the publication of certain Georgia Reports. Do pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

The undersigned Committee on School for Deaf, submitted the following report:

*Mr. Speaker:*

We, your Committee for the School for the Deaf at Cave Spring, beg leave to report the following:

We find the buildings in good repair and neatly kept, but we find that an additional building is badly needed to properly accommodate the pupils. From our inspection of the buildings, we recommend that the additional building be erected so as to unite the building already erected, as per diagram attached.

We find the health of the pupils perfect. There is no infectious or contagious diseases in the school; in fact not a pupil is sick from any cause.

The food furnished the pupils is sufficient and well prepared and all the pupils seem to be happy and contented.

We think Georgia is fortunate in having such an earnest and faithful Principal as Prof. Connor, who has devoted his life to the school, and he has associated with him an efficient and conscientious assistant, Miss McDaniel, and all of the teachers connected with the school seem to be in love with their work.

Georgia should be liberal in sustaining this School for it is accomplishing a great work. We are especially impressed with the patience and earnestness and efficiency of all the teachers connected with the School.

After going over the system of book-keeping, and having all details explained by Capt. Connor, Principal, and D. W. Simmons, book-keeper, we find the books kept in a neat and up-to-date system, with a record kept of all expenses and expenditures, showing an accurate account in full of every penny appropriated.

G. M. HUIE, House Chmn.

W. J. KIDD, Secretary,

C. R. McCORRY, Asst. Sec.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Edwards, of Walton—

A bill to prescribe conditions on which appropriations may be made for the repair, addition, etc., to buildings of State institutions.

Referred to Committee on Appropriations.

By Messrs. Kirby and Couch, of Coweta—

A bill to provide for the payment by counties in this State having a certain population of costs incurred in Superior and City Courts.

Referred to Committee on Corporations.

By Mr. Vinson, of Baldwin—

A bill to appropriate money for erection of buildings at State farm.

Referred to Committee on Appropriations.

By Mr. Vinson, of Baldwin—

A resolution to pay pension to Mrs. Wm. Reese Cook.

Referred to Committee on Appropriations.

By Mr. Vinson, of Baldwin—

A bill to authorize the Board of Trustees of the Georgia State Sanitarium to establish a training school.

Referred to Committee on State Sanitarium.

By Mr. Slade, of Muscogee—

A bill to amend the Constitution of Georgia, restricting the electorate of the State to white citizens.

Referred to Committee on Constitutional Amendments.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Messrs. Faircloth, of Johnson; Lewis, of Hancock—

A bill to amend Section 574, Volume 1 of the Code of 1895, relative to the alternative road law.

Before the above bill could be disposed of the hour for unanimous consents expired and the same was carried over as unfinished business.

The following continuing special order was again taken up under head of unfinished business, to-wit:

By Mr. Alexander, of DeKalb—

A resolution to pay Susannah Smith a pension.

The Speaker again resolved the House into a Committee of the whole and designated as Chairman, Mr. Tarver, of Whitfield.

After a consideration of the bill the Committee arose and through their Chairman reported the same back to the House with the recommendation that it do pass as amended.

The following amendments were adopted, to-wit:

By the Committee —

To amend caption by striking the words “present year” and inserting the words “years 1909 and 1910.” Also

To amend the second resolution by adding “and 1910.”

To amend third resolution by striking the word “sixty” and insert the words “one hundred and twenty,” and by adding after the figures “1909” the words “and 1910.”

By Mr. MacIntyre, of Thomas—

To amend by striking so much of the resolution as appropriates money and leaving so much as interprets the law

The above amendment was lost.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                 |                    |
|---------------------|-----------------|--------------------|
| Adams               | Chandler        | Ford               |
| Alexander of DeKalb | Cooke           | Garlington         |
| Allen               | Cordell         | Gillis             |
| Alley               | Couch           | Griffin of Sumter  |
| Atherton            | Cowan           | Guyton             |
| Atkinson            | Culberson       | Harrington         |
| Barksdale           | Daniel          | Harvey             |
| Brown of Henry      | Edwards         | Hatfield           |
| Brown of Murray     | English         | Helms              |
| Butt                | Field of DeKalb | Henderson of Irwin |
| Buxton              | Fields of Crisp | Holder of Floyd    |

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Powell             | MacFarland          | Sheppard          |
| Hubbard            | MacIntyre           | Shirley           |
| Huie               | McCarthy            | Slade             |
| Joiner             | McConnell           | Smith of Tattnell |
| Jones of Mitchell  | McCrory             | Smith of Walton   |
| Kendrick           | McCurry             | Stovall           |
| Kennedy            | McMichael of Butts  | Stubbs of Thomas  |
| Kidd               | McMichael of Marion | Tracey            |
| Kirby              | Oliver              | Turner            |
| Lewis              | Parker of Decatur   | Turnipseed        |
| Littleton          | Parker of Talbot    | Upshaw            |
| Martin             | Pierce              | Vinson            |
| Meadows of Telfair | Pope                | Walters           |
| Meadows of Toombs  | Porter              | Wasden            |
| Miller of Calhoun  | Redding             | Whiteley          |
| Miller of Ware     | Roberts             | Wight of Grady    |
| Mitchell           | Rogers              | Williams          |
| Moss               | Rosser              | Wood              |

Those voting in the negative were Messrs.:

|                     |                     |                  |
|---------------------|---------------------|------------------|
| Alexander of Fulton | Converse            | McCutchen        |
| Anderson of Chatham | Drawdy              | McMahan          |
| Armistead           | Ellis               | McWhorter        |
| Ault                | Ellison             | Paulk            |
| Bailey              | Faircloth           | Pickett          |
| Baker               | Fullbright          | Proctor          |
| Barrett             | Gastley             | Reese            |
| Beacham             | Godley              | Reid of Macon    |
| Bell                | Graddick            | Strong           |
| Berry               | Hall                | Stubbs of Putnam |
| Brinson of Decatur  | Hardeman of Jeffs'n | Tarver           |
| Brinson of Emanuel  | Hardman of Jackson  | Tuggle           |
| Brown of Carroll    | Holtzelaw           | Watkins          |
| Burch               | Johnson of Bartow   | White of Screven |
| Calbeck             | Jones of Meriwether | Wohlwender       |
| Cannon              | Keith               | Wright of Floyd  |
| Carter              | Lovejoy             |                  |
| Childs              | Moore               |                  |

Those not voting were Messrs.:

|                     |        |                 |
|---------------------|--------|-----------------|
| Anderson of Bullock | Booker | Brown of Fulton |
| Bagley              | Boyd   | Carswell        |



|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Cureton             | Johnson of Jeff Davis | Persons           |
| Davis               | Johnson of Towns      | Price             |
| Dickson             | Jones of Laurens      | Reaves            |
| Edmondson           | Kelley                | Reid of Campbell  |
| Elder               | Kicklighter           | Rentz             |
| Evans               | Lawrence              | Simmons           |
| Fender              | Lord                  | Simpson           |
| Giffin of Twiggs    | Middlebrooks          | Smith of Gilmer   |
| Heard               | Milikin               | Tippins           |
| Henderson of Turner | Minter                | Waddell           |
| Hendricks           | McArthur              | Woodliff          |
| Hill                | McElreath             | Wright of Stewart |
| Hullender           | Peacock               | Mr. Speaker       |

The roll call was verified and on counting the vote it was found that the ayes were 87, nays, 52.

The resolution having failed to receive the requisite Constitutional majority was lost.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to amend an Act to authorize electric street, suburban and interurban railroad companies to acquire by purchase or lease the stock, property, etc., of other such companies.

A bill to incorporate the Lanier School District in Emanuel and Bullock counties.

A bill to amend Section 982 of Volume 1 of the

Code so as to add Canton, Cherokee county, to the list of State depositories.

A bill to incorporate the town of Alston, in the county of Montgomery.

A bill to amend the charter of the city of Dalton.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to change the time of holding the fall term of the Superior Court of Liberty county.

A bill to fix fees to be paid by local fire and storm insurance companies doing business in four counties or less.

ATLANTA, GA., July 25, 1910.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Blackburn:

*Mr. Speaker:*

I am directed by His Excellency, the Governor, to deliver to the House of Representatives a communication in writing.

## MESSAGE

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STATE OF GEORGIA,  
EXECUTIVE DEPARTMENT,  
ATLANTA.

July 25, 1910.

*To the House of Representatives:*

I have the honor to acknowledge the receipt of House Resolution No. 238, inquiring of the Governor as to the necessity, etc., of his having sent troops into Walker county on May 26, 1910. From this resolution, I quote the following:

“Therefore, be it resolved by the House of Representatives, That His Excellency, the Governor, be and he is hereby requested to lay before the House at his earliest convenience a full statement of all facts connected with said matter and the reasons therefor, and the particular law under which the action referred to was taken; the details of what the action was; and all documentary evidence by way of letters, affidavits or otherwise which he may have collected in reference to said matter.

“And to the end that the House may be fully advised as to whether or not the sending of said troops is to be considered a precedent;

“Therefore be it further resolved, That the Governor be and he is hereby requested to inform the House whether or not the Executive Branch of the Government of this State considers it to be within the power of the Executive to call out the active militia or any part thereof at the request or upon the information of private persons and without the initiative of local authorities.”

In compliance with the above call, I would state that about 8 o'clock, or shortly thereafter, on the evening of May 25th, I received a telephone message from Chattanooga. This was by Col. J. W. English, Jr., President of the Lookout Mountain Coal & Coke Company, who stated to me that Mr. John Mitchell, deputy sheriff of Walker county, being too hoarse to talk over the telephone, had requested him to communicate with me in haste and to convey the information that Italian miners at the coal mines at Durham were in a state of riot; that they had threatened his life, and that of one of the mine foreman; that these two had been compelled to leave the mines, under threats of death. He added that there was much uneasiness among the native miners and their families, as the Italian workmen were threatening to dynamite the mines and the magazines, which contained the company's supply of powder and dynamite. The deputy sheriff had Mr. English to urge me to send some troops at once for the protection of life and property.

I asked Mr. English if the situation was really so grave as to call for the use of the military. He re-

plied that Deputy Sheriff Mitchell insisted that only by the use of the military could order be restored and maintained, and that he deemed their presence imperative.

I attempted at once to secure communication with Adjutant-General Scott, but not knowing the telephone number at the place to which he had recently moved, I was not able to locate him until more than an hour later.

In the meantime, deeming prompt action necessary, I called Capt. H. P. Meikleham, commanding Co. E., Fifth Regiment Infantry, National Guard of Georgia, at Lindale, his company being the nearest command available for use. I secured him promptly, gave him the information as it had been transmitted to me, and ordered him, in the absence of later instructions from me or the Adjutant-General, to proceed to the Durham mines by first train, and to see that the laws were maintained. I ordered him to report to the local authorities and co-operate with them, to exercise great discretion, and to avoid the use of force unless conditions imperatively demanded it. I added that, as the rioters were Italian immigrants, the situation might be a delicate one, and that he must exercise care in every step he took. He replied that he would use all discretion possible, and that force would not be resorted to unless conditions left no other recourse.

After a time, Adjutant-General Scott called me

by telephone and I explained to him the situation in full, and told him to take charge of the matter, to communicate with Captain Meikleham and give such orders for handling the troops as the conditions and the law required. Shortly before midnight I received from Chattanooga another message from the deputy sheriff, which like the first one, was spoken over the wire by Colonel English. In this message Deputy Sheriff Mitchell advised me that he and Col. English would go down to Chickamauga in an automobile before day-break and meet the troops. The foregoing is a recital of the facts as developed that night.

As shown by the report of Captain Meikleham to Adjutant-General Scott, dated at Lindale, Ga., May 27, 1910, herewith attached the company arrived at the mines next morning. At Chickamauga, it was joined by Colonel English, and the deputy sheriff, who proceeded with them to the mines. On arrival, the Italians, who had evidently been advised of the coming of the company, were found to be quiet. A number of them were pointed out to Captain Meikleham as being parties who on the day before had been walking about the property with shotguns on their shoulders, making threats. As an act of precaution, Captain Meikleham says: "These I took in charge and sent into our special coach under guard." He adds that he searched all of them for weapons, and shortly afterward searched the houses where the Italians had been living. Captain Meik-

leham then says: "A number of weapons, shotguns, pistols, some of them the property of the mining company, daggers, and so forth, and ammunition of a curious kind, loaded with ball for the shot guns, was found in the houses. Shotguns and revolvers were found in all the houses." His report further shows that Colonel English swore out warrants against twenty-two of the Italians, who were then turned over to Sheriff Garmany, who had been sick the night before, as shown by his affidavit, but who had arrived during the morning and who receipted Captain Meikleham for them. The names of the twenty-two were as follows:

Quintilio Pesenichi, Florrie Mangenello, Agusti Cortoriloi, Francors Guillard, Ferrino Guido, Ferdinando Branchetti, Fortunato Inocenta, Vergilie Corsini, Nosi Tonanzi, Ippolito Bolognini, Guiseppi Graisini, Pacino Paci, Chembrieni Mogini, Ernesto Fidelio, Albino Scotti, Onie Ceni (or Toni Censi), Amango Valinio, Virgilio Pisaneschi, Egnito Gueorjolini, Armando Carbonani, Ricardo Tega and Gio Tega.

Captain Meikleham says: "After I had received my receipt, the guard which had been placed over them was withdrawn at Durham and, as far as I was concerned, the Italians were free to come and go as they chose."

Affidavits herewith show that by an agreement made voluntarily by the Italians with the prosecutor of the cases against them the warrants were with-

drawn and the Italians left at once for Chattanooga. So far as the troops were concerned, therefore, either by positive or negative act, the departure of the Italian miners was wholly voluntary on their part. It appears that by a co-incidence they travelled from Durham to Chickamauga on the same train, but at the latter point the troops left the train and came southward on another, while the Italians continued northward. The troops could not have returned to their home station by any other convenient route.

The affidavits and letters herewith transmitted will serve to show the real state of affairs at the mines before and during the time that the calls were being made upon me for the presence of the military. Of course, many of these details were unknown to me on the night of May 25th. My action was based upon the call of the deputy sheriff, as transmitted to me over the telephone by the voice of Colonel English, who assured me that he was speaking the words of the deputy sheriff. This fact is confirmed by the affidavit of Deputy Sheriff Mitchell.

Our State Constitution declares that, "Protection to person and property is the paramount duty of government and shall be impartial and complete;" and from the advices I received to the effect that the lives and property of citizens of Georgia and of their families were imperiled, I felt it my duty to obey the Constitution and act promptly. The combination of a magazine stored with dynamite and other explosives in sufficient quantity to have blown up



the mine and settlement, surrounded by and virtually in control of a lot of angry Italian miners, present a rather dangerous picture. In such emergencies no executive officer, charged with the responsibility of protecting human life, has the right to pursue a hesitating or doubtful course.

The facts as presented to me indicated to me that not merely the property and persons of the employers of the miners were in danger, but of greater importance and concern was the threatened danger to the lives of a large number of native, law-abiding workmen, their wives and children. These native workmen were in no wise involved in the dispute and desired to go peaceably about their daily work, but were met by threats from the Italian miners. It appears that members of one family through fear left their home near the magazine and went by night into the mountains to escape the anticipated danger.

It is true that these Italians, while within the borders of our State, were entitled to the full protection of our laws, yet it must be remembered that experience with this class of Italians in other States of our country to which they have immigrated in large numbers demonstrates the necessity of caution and promptness in dealing with them when in a turbulent mood. General discussion of the subject of immigration during the past few years has proven this idea to be a distinctive and substantial factor in the public opinion of this State.

As illustrating the difference in manners and practices between these Italians and Georgians, even in the use of arms, I send herewith for your inspection a large dagger and a stiletto in concealed case taken from these Italians by officers of the law, who report they were found to possess such weapons, with shotgun cartridges loaded with slugs, in large number. These symbols of anarchy, of the black hand and of the Mafia, with the other evidence adduced, force the conviction that the call for protection by the military was not based on vague rumor

The troops were not sent to the Durham mines to injure or deport or interfere with the rights of any persons; they were sent to uphold the laws of this State and to protect the lives and property of its citizens; and neither the civil nor military authorities had ought to do with the departure of these Italian miners. That was purely a matter of agreement between them and the owners of the mines, as is shown by affidavits herewith transmitted.

Your resolution requests me to lay before your honorable body the particular law under which the action referred to was taken. In reply I quote from the Constitution of Georgia, Article 5, Section 1, Paragraph 11:

“The Governor shall be commander-in-chief of the army and navy of this State, and of the militia thereof.”

Also from the Constitution of Georgia, Article 5, Section 1, Paragraph 12:

“He shall \* \* \* \* be a conservator of the peace throughout the State.”

Second: I quote from the military Code of the State of Georgia, as follows:

“Section 14. The Governor shall have power, in case of insurrection, invasion, tumult, riot, or breach of the peace, or imminent danger thereof, to order into the active service of the State any part of the militia that he may deem proper.” (Georgia Laws, 1905, page 137.)

In conclusion, answering the question in the last paragraph of your resolution, I will state that inasmuch as the affidavits herewith sent prove that the contingency to which reference is made was not a factor in the case under review, any answer to the hypothetical question would not be relevant.

Respectfully submitted,

JOSEPH M. BROWN,

Governor.

(Exhibit A)

CAPTAIN MEIKLEHAM'S REPORT.

LINDALE, GA., May 27th, 1910.

GEN. A. J. SCOTT,

*Adjutant General of Ga,*

Atlanta, Ga.

SIR: I have the honor to submit the following report of tour of duty of my command protecting the property of the Lookout Coal & Coke Co , near Durham, Ga., May 25th and 26th, 1910:

At nine o'clock p. m., May 25th, I received a telephone message from the Governor instructing me to hold my command in readiness for duty at Durham on account of disturbances and threatened rioting. At nine thirty the entire command was ready in heavy marching order. About ten thirty I received your telephone message that there was trouble at the mines of the Lookout Coal & Coke Co. where I was to proceed with my command and take such steps as I deemed necessary to protect property and preserve peace. I was to go on the train of the Central of Georgia R. R., which passes Lindale at 6:40 a. m. unless I received orders to the contrary. I was also instructed that if, when I reached the mine, I thought it necessary, I should telegraph to you for additional

troops. Later in the evening I received telephone message from Mr. Jas. English, part owner of the mine, who stated that the trouble was with Italian miners and that he expected serious difficulty in restoring peace. He advised bringing all available ammunition and stated that the affair would not be ended without a clash between the soldiers and the miners.

Not receiving any further instructions from you, Company E, under my command, with forty-seven men and two officers boarded the regular Central of Georgia passenger train, in a special coach which had been provided, at 6:40 a. m., Thursday, May 26th, armed and equipped in heavy marching order. At LaFayette we were joined by Mr. Garmany, sheriff of Walker county, and Mr. Earl Jackson, attorney for Mr. English.

Mr. Jackson reported a most serious condition at the mines and said that we must expect trouble. At Chickamauga, we were joined by Mr. Jas. English, also a deputy sheriff of Walker county and a number of Mr. English's head men at the mines.

Mr. English reported that the Italian miners had made many threats against his life if he ever dared to set foot on his property near Durham; also said that they would not leave his houses after due notice of ejection, and that they would not leave the premises. He said that they were all armed and were

walking about the property with shotguns on their shoulders making threats.

What he said was confirmed by the deputy sheriff, who also said that he had left the vicinity of the mines on the previous day fearing personal harm from the Italian miners on account of threats and their actions; That the presence of the troops was the only thing that could restore order, and that we might expect difficulty in bringing it about.

I was told by the mine foreman that the Italians had refused to work themselves or allow any one else to work in the mines; that the live stock belonging to the mines had been shut up by the Italians who would not let them be used or attended to; that the notices of ejectment had been ignored; and, in short, that they had taken charge of the property and were running things to suit themselves.

The employees of the railroad from Chickamauga to Durham were alarmed over the situation. The train proceeded in a very cautious manner—a special bridge inspector going ahead to examine trestles in the vicinity of the mine under the fear of dynamite and destruction of the railroad property. Details were put off at two points to guard the mine property before Durham was reached.

We arrived at Durham about ten o'clock, where the special coach was side-tracked and left in charge of two soldiers. Almost as soon as the company

was formed, Italians were seen in the immediate vicinity, and were pointed out as the men who had taken part in the disturbances and made threats. These I took in charge and sent into our special coach under guard.

We proceeded over the property of the mines with the Sheriff of Walker county and Mr. English, and took in charge twenty-two Italian miners who were pointed out to us by Mr. English, searching all of them for weapons, and putting them in the coach under guard. I then directed that the men under custody be sent under guard to the houses of the mining company and allow them to get their belongings and bring them to the train, which was done.

A number of weapons, shotguns, pistols, some of them the property of the mining company, daggers, and so forth, and ammunition of a curious kind loaded with ball for the shotguns was found in the houses. Shotguns and revolvers were found in all the houses.

The Italians were perfectly submissive to us, not objecting at all to do what they were told. They told our men afterwards that they were expecting us, and their actions in general looked like the result of advice.

At twelve o'clock twenty-two Italians with their belongings were in the coach under guard. No shot had been fired and there was no trace of disorder.

At one o'clock I reported the situation to you by telephone. At that time it was my understanding that the Sheriff of Walker county was going to take the prisoners to Walker county jail. When I asked him what disposition he wished to make of the Italians, and for a receipt for them, he refused either to say what disposition should be made of them or to give me a receipt for them. In fact, he refused to have anything to do with them unless Mr. English would swear out warrants for them, in which case he agreed to take them in charge. Warrants were accordingly sworn out and turned over to the Sheriff who then receipted to me for the Italians.

I understand that there was an arrangement between Mr. English and the Sheriff that in case the miners would go to Chattanooga and promise not to return to Durham, the charges would be withdrawn and the warrants dismissed. At any rate, after I had received my receipt, the guard which had been placed over them was withdrawn at Durham and as far as I was concerned the Italians were free to come and go as they chose.

The coach containing troops, Italians, etc., proceeded to Chickamauga, where the Italians with their baggage left our coach, which was then attached to a Central of Georgia passenger train, and Company E proceeded to home station, arriving there at eight o'clock, May 26th.



I herewith attach sheriff's receipt. Other papers, confirmation of your order, and for expenses of tour, will follow.

Respectfully submitted,

H. P. MEIKLEHAM,

Captain Commanding Co. "E", 5th Reg. Inf. N. G.  
Ga.

A true copy,

A. J. SCOTT,  
Adjutant General of Georgia,  
July 1, 1910.

LINDALE, GA., July 21st, 1910.

GEN. A. J. SCOTT,  
*Adjutant General of Ga.*

Atlanta, Ga.

SIR: I have the honor to submit the following additional report in regards to the service of my company on duty at the property of the Lookout Coal & Coke Co., near Durham, on May 25th and 26th, 1910.

As stated in the further report, the Italians that we took under guard showed us no resistance at the time and I have every reason to believe that they had been notified of our coming and acted accordingly. My actions in the matter were governed entirely

by the best information and evidence that I could get on the way up there of the situation, and from the evidence given me by Mr. Earl Jackson, of Lafayette; Mr. Mitchell, deputy sheriff of Walker county; Mr. Turner, superintendent of one of the mines, and the railway crew. I believe that I would have been perfectly justifiable in wiring you from Chickamauga to send another Company on the scene at once. All these men notified me that the Italians had made threats they did not care how many soldiers went to the scene they would have to fight. Mr. Mitchell told me that they had run him away from there the night before I got there and made all kinds of threats against his life and at the telephone office where I went to report to you, the man there told me that Mr. Mitchell had come in the night before very much alarmed and that his life had been threatened and he wanted to get in communication with the Governor. Mr. Mitchell had to be put off the train about a mile before we went to the mines with a guard to protect him. The Railway people said that the Italians had threatened to blow up their trestles to prevent any troops from coming there and the people at Cheucat whom I talked to were very much alarmed over the situation, especially fearing that the Italians would dynamite or blow up the magazine that was situated there as they had threatened to do so. They seemed to be so alarmed that I left a guard there to protect this settlement and this magazine. A Mr. Turner, one of the mine foreman who I talked with quite a lot,

told me of all these threats that had been made and that the miners had not allowed a mine inspector or any of the other miners to go in the mines for almost a week and that he was very much alarmed over the situation. Several colored and white miners that I spoke to at the mines were very much excited and told me of the threats that had been made and were very much relieved to see the troops on the property. The situation looked so serious that we took the active steps that we did, fearing the resistance from the Italians if we showed the least by our actions that we were in any way whatever afraid of their giving us trouble. The sheriff of Walker county was with me all the time we were on the property until we had all the miners under guard. He himself suggested and in fact he and a deputy he had with him searched practically every miner that we arrested. I and all my men found I think, one or two revolvers and several knives on the miners, but they were practically all unarmed and as I said before, offered no resistance. However, in the miners' homes, we found a number of dirks, revolvers and shotguns. I, of my own knowledge, saw eleven guns. Everything of this nature that my men found was turned over to the mine authorities. In talking with my men, I find that all of them found the situation practically the same as I did, and that a good many of the people had told them of these threats against the life and property and they are all unanimous in saying that they think if the troops had not taken the action they did, that there

would have been serious trouble, even after the situation was cleared up, several of the people there seemed to be still nervous, fearing possibly that some of the Italians would come back and give them trouble. Some of the Italians that we put under guard were released at Mr. English's request and he said that they were not concerned in the trouble at all and were good, reliable men, and I saw him help one family in a financial way on account of their loss of work and they were really in need. The Italians were not abused in any way whatever by the troops and were given all the time necessary to get their belongings to the train. They were not deported in any way and were released from guard by about three o'clock in the afternoon and were allowed to do whatever they wished.

Respectfully submitted,

(Signed) H. P. MEIKLEHAM,

Capt. Company E. 5th Reg. Inftry. N. G. of Georgia,  
Commanding.

(Exhibit B)

STATE OF GEORGIA,  
WALKER COUNTY.

AFFIDAVIT OF JOHN MITCHELL.

In the matter of the arrest of certain Italians at Durham, Georgia, on May 26th, 1910, personally

comes JOHN MITCHELL, and being duly sworn upon oath, says:

“I was born in Kentucky, lived in Walker county, principally at Flintstone, Georgia, for about seven years. I am now, and have been since about April, 1910, acting deputy sheriff under commission, for Walker county, Georgia. I was up to the 26th day of May, and had been for about six months, general superintendent of the mines and property of the Lookout Mountain Coal & Coke Company. I am now weight boss for the same company.

“On about the 20th of May, 1910, I went to the City of Chattanooga, Tennessee, with the Italian Guereno, to Colonel English's office in order that a settlement might be had with Guereno which was the usual custom, all claims being paid for the Italians through Guereno. After we had been to the office of Colonel English, Guereno was to come back on the mountain with me on the morning train next day, but at the depot he slipped away from me. I came back to the mountain alone. From that time on, the Italians were in an ugly mood, appearing to be mad and excited when they talked, and in some way seemed to connect me with the failure to pay.

•

“The first outbreak was on about Monday following, when three of the Italians surrounded me on the railroad track, armed with double barreled guns, and told me that they were going to “have their money or have hell.” Their conversation was loud

extra and their manner threatening. These men could have had no purpose in carrying their guns to hunt, as there was no game. They were not hunting and carried about a number of 12 shotgun, breech loaders, and carried shells of a like appearance which we afterward found to be loaded with balls. These men could have had no purpose in carrying these guns except to intimidate or do violence. These men knew that I was a deputy sheriff. On or about the night following, I was warned by a negro living here at that time named, — Brown, to watch these Italians as they were armed and hunting for me. I thought the negro trustworthy and still believe him to be so. From the time of the failure of Guerenzo to come back, to the time of arrest, a number of the Italians went about the place armed and went supplied with cartridges. The next serious trouble was when I went up to the stockade to get the mules and bring them down to camp, as the feed was out up where the Italians kept them. They refused to let me have them, and to avoid the threatened trouble, I returned without them.

“As I went to the stockade with Mr. Turner, now superintendent, and the driver of the wagon to carry feed for the mules, I was surrounded by some twenty of these men, they were excited, ran about me shaking their fists, gritting their teeth, running their hands in their pockets and gibbering many things I could not understand in a loud voice, one of them at the time having a hook bill spring knife. Through

them the warning came to me not to move the property and that I and Colonel English were alive then, but would not be if we came back on the property. They said that they had the property, and would hold it for five years, and defied any and everybody to take the property. Mr. Turner requested me to leave the property as I was in danger. I did nothing and said nothing to provoke the slightest feeling. During the same day, the bank boss, W. C. Derberry, informed me that an apparent peaceable Italian told him to watch out that night as the Italians had threatened to blow up the magazine at No. 3, which contained 45 kegs of powder and several cases of dynamite and caps, and also magazine No. 4, which contained about four hundred kegs of powder. A number of families are within range of danger.

“During the day, the Italians were continually cursing threats on Colonel English and myself. There was considerable excitement and fear among the balance of the residents during the day, some left their homes during the day. I left on the evening train for Colonel English’s office; I informed him of all the things which transpired, the excitement and fear among the people at the mines and gave him as my opinion that his life, my life and the lives of the people were in danger, and that I was unable to cope with the situation. I could not communicate with Sheriff Garmany for the reason that the telephone was out of order, so I went direct to Chattanooga, reaching Colonel English’s office about 5:30 p. m.

“I had some experience with the former Italians here. They seemed to know no law or order, except as communicated to them by their chief or padrone. I am of the opinion that the Italians intended harm, and that only careful guarding of the property the night before and the arrival of the military, saved serious disaster.

Sworn and subscribed to before me,

this 10th day of June, 1910.

J. A. WHITT, J. P.

JOHN MITCHELL.

(Exhibit C.)

AFFIDAVITS OF E. A. TURNER, WILLIS

MOORE, W. C. DERBERRY AND J. C.

CHEATHAM.

STATE OF GEORGIA,

WALKER COUNTY.

In the matter of the arrest of certain Italians at Durham, Georgia, on May 26th, 1910, Personally comes E. A. TURNER, and being duly sworn upon oath says: “My home in Chattanooga, Tennessee, and has been for about twenty-six years coming to Tennessee, from Acworth, Cobb Co., Georgia. Part of this time I have been in the service of the United



States, having served as a Captain in the U. S. army. I have served sixteen years in the National Guard of the State of Tennessee, at present being entitled to the rank of retired Major

For the last five years, I have been for the greater portion of the time, engaged in the coal mining business. Am now with the LOOKOUT MOUNTAIN COAL & COKE COMPANY, as their General Superintendent.

My first trip to the Durham mines was with Colonel English to look over the property, on Monday before the arrest of the Italians. I stopped at No. 4 mines, Colonel English going on to No. 3 mines. I returned to Chattanooga the same evening and came back to the mines Tuesday morning. When I entered the office at the mines Tuesday, I found several persons in the office talking to Colonel English, among the crowd in front of the office were a number of Italians who were talking in an excited manner. I did not know what the trouble was, but as I entered the office I heard one of the Italians, who we know as "Butch," remark in a loud and excited manner "Mr. English, we are going to have our money " Colonel English replied in a very courteous manner, "I am very sorry, but I did not have anything to do with the present condition of affairs." He then got up and left the office, going into the store. The Italians seemed very angry, and as the train came up, I thought that they were going

to offer violence to Colonel English as he started to board the train going to Chattanooga, and together with two or three, stepped in between the crowd and the train. On Wednesday, Mr. Mitchell reported to me that the mules at No. 3 mines were out of feed, that he had endeavored to get the mules and had been refused admittance to the corral, and feared for his personal safety if he went up there. I had a load of feed put on the wagon and Mr. Mitchell went with the wagon up to No. 3, I walked and reached the No. 3 camp before the wagon. When I reached No. 3, there was a crowd of men congregated near one of the houses talking in an excitable manner, all of the crowd I would take to be Italians. As soon as Mitchell and the wagon arrived the crowd immediately surrounded Mitchell and began accusing him of bothering some of their property, and threatened him if he came near No. 3 mines, there was some twenty or more in this crowd. I told Mitchell not to argue with them and took him away coming back to No. 4, which is nearly two miles from No. 3. On Wednesday night, I placed guards over the magazine having been informed by the mine foreman that he feared an attempt would be made to blow up the magazine. I was at No. 3 when the arrests were made, and saw quite a number of weapons of various kinds, and among the cartridges were shells containing solid balls that would weigh possible an ounce. I have not heard of any game in this vicinity that would require a ball of this size. I was present when the arrests were made, and can

state most positively that no woman was arrested or molested, on the contrary, Colonel English furnished a quantity of provisions for the family of Italians who remained, but have since moved away of their own accord. The Italians lived at No. 3 camp, which is about three miles from No. 4 camp. I am fully convinced that if prompt measures had not been taken, serious trouble would have resulted.

E. A. TURNER,

Sworn and subscribed before me,

this June 10, 1910

J. A. WHITT, J. P.

STATE OF GEORGIA,

WALKER COUNTY.

In the matter of the arrest of certain Italians at Durham, Georgia, on May 26, 1910, personally comes WILLIS MOORE, and being duly sworn upon oath, says: "I was raised in Jackson county, Alabama, and lived in Walker county, Georgia about fifteen years. At the time of the trouble at the mines, I was coal hauler for Guereno. I understood the contract between Colonel English and Guereno and I looked to Guereno for my pay. After Guereno left, the Italians quit work, they talked about the matter excitedly and mad. One of the Italians, a little red eyed fellow known to me as Tommie, after Guereno

left, said to me, "I bet you if I don't get my money, I kill somebody, we have trouble, I take dynamite and blow up things" (making a motion with hands). Butch said, "Mr. English was away from here and alive, better stay away," said something about being dead. Heard this man Butch say to Colonel English, he (Col. English) "could not get the mines or mules for five years" and that "we (meaning the Italians) were not afraid of Mitchell, Campbell, (another deputy sheriff) nor four thousand men, we want our money, we fight." Heard Quintillis say, "would hold mine for five years."

Excitement and a feeling of unrest, and many rumors of threats prevailed at mines No. 4, some people left their homes that night. Mrs. Smedley just informed me that she left her home for fear of an explosion of the magazine. I communicated to Colonel English, the threats made by the Italians.

WILLIS MOORE.

Sworn and subscribed to before me,

this June 10th, 1910.

J. A. WHITT, J P

## GEORGIA, WALKER COUNTY

In the matter of the arrests of the Italians at Durham on May 26th, 1910 Personally comes W. C. Derby and being duly sworn upon oath, says:

I am mine foreman at mine No. 4 at Durham, belonging to Lookout Mt. Coal & Coke Co., and was so employed during the trouble with the Italians. I heard one of the Italians say they would blow up things with dynamite if they didn't get their pay

One of the Italians, half Italian and half Spanish, known as Frank Ciscillis, who appeared to be friendly or opposed to any injury or revenge, notified me to look out that the Italians would blow up the magazine if they didn't get their money.

I communicated this information to Mr. Mitchell, and Mr. Turner on the day prior to the arrest. From the date the Italians quit work to the time of arrest they walked about on the property carrying arms.

•The people living in the vicinity of the magazine for mine No. 4, perhaps sixty families, might have been seriously injured or killed in case of an explosion of the magazine. I make this statement from experience in handling explosives and knowing the contents of the magazine.

Some of the Italians knew the situation of the magazine and how to enter it.

I was raised at Dade Co., Georgia, and am a native Georgian and been engaged in mining nearly all my life and have a family living with me at this place.

The day and night before the arrest there was a prevailing feeling of fear and unrest among the residents of mine No. 4.

his

W. C. X DERBERRY.

mark

Sworn to and subscribed before me, this June 10th,  
1910.

J. A. WHITT, J. P.

STATE OF GEORGIA,

COUNTY OF WALKER.

In the matter of the arrest of certain Italians at Durham, in Walker Co., Ga., on May 26th, 1910. Personally comes J. C. Cheatham and being duly sworn upon oath, says:

I am a citizen of Chattanooga, Tenn., and have been for three and a half years. It is my business to engage contract labor. I had nothing to do with engaging this Italian labor for the Lookout Mountain Coal & Coke Co. At the time of the arrest I was in the State of Alabama.

I have been in contact with this character of Italian labor for nearly twenty years, in business relations and otherwise, and am acquainted with their nature, their temperament and disposition.

For several days prior to the arrest, at intervals, from one to five of these Italian laborers would approach the office of Col. English in the City of Chattanooga. They appeared as if hunting some one, sometimes asking for Guerenno, their employer, and sometimes asking for Col. English. Guerenno was their chief, their interpreter and leader. These men were in a surly mood, and when informed that Guerenno or Col. English could not be seen as they were not in the office, they would become highly incensed. It is my opinion from their excited language and conduct that they were in a dangerous mood. I communicated to Col. English this conduct and my opinion of their dangerous intentions.

On one of these occasions two or three of these men appeared at the office of Col. English. They wanted admittance into the office. I informed them that Col. English was out and they could not come in. One excitedly exclaimed, "God damn. Hell. I follow him to hell to see him," or practically that language.

Some two days before the arrest, about seven o'clock p. m., two or three men, one known to us as "Butch" and another, Gratazeno, appeared at the office of Col. English in Chattanooga. Col. English, Mr. Earl Jackson, his attorney, and myself were present. The interview covered a long conversation covering, off and on, two or three hours. I could not relate all that was said, but give the substance.

These men, Butch doing most of the talking, insisted that they be paid. Col. English insisted that he had already paid now more than was due on their labor under the contract and would not pay again. They insisted that they had not gotten their money. Col. English insisted that it was no fault of his, but if the fault of any one, the fault of their employer and contractor, Guerenzo. The attitude and manner of these men was at all times threatening and excited. Frequently "Butch" passed his hand down towards and under his belt. Knowing the temperament of such characters, I believed the danger to the life of Col. English so urgent that I took position between these men and a pistol in plain view of the desk, which action they appeared to notice, and evidently had effect to bring some quiet.

Col. English claimed that the contract under which they worked was forfeited and he had the right to eject them, and unless they gave up his property he would proceed to eject them under the law

They insisted that they had five years to hold all the property in their possession, and defied Col. English, the sheriff or four thousand Americans to attempt to come on the property, and warned him not to attempt to come on the property.

This leader frequently during the conversation, rose, approached in the direction of Col. English, fingering about his belt, and approaching at times as if he would seek to get possession of the pistol.



It is my opinion, which I give from all the attendant circumstances, and the peculiar dangerous character of these people that the life of Col. English, his property and possibly the lives of the people living at the camp was in danger.

During this trouble Col. English was unarmed and made no threats, and acted in a civil manner. He and his attorney sought a peaceful settlement of trying to settle by any legal method or by arbitration, all of which they rejected.

J. C. CHEATHAM.

Sworn to and subscribed before me this June 9th,  
1910.

J. A. WHITT, J. P.

(Exhibit D)

AFFIDAVITS OF JAMES W. ENGLISH, JR.,  
WITH COPY OF CONTRACT.

STATE OF GEORGIA,  
COUNTY OF FULTON.

Personally appeared before the undersigned, James W. English, Jr., who being duly sworn deposes and says that he is President of the Lookout Mountain Coal & Coke Company, and as such officer he engaged in a written contract with forty-

five (45) Italians to operate the No. 3 mine owned by said Company in Dade and Walker counties, Georgia, a copy of the said contract being hereto attached, also a list of the checks of the Lookout Mountain Coal & Coke Company to each of the Italians. Under the terms of the said contract the Company agreed to pay to said Italians a certain amount per ton for each and every ton of coal mined and loaded by them, and that full payment had been made for same, as provided by the contract, as aforesaid, by said checks and that the Company is indebted to them in no sum whatever.

Deponent further says that one Mirtiglio Guereno, the foreman, leader and interpreter, as deponent is informed and believes borrowed various sums of money from these Italians, obtained from them their pay roll checks issued to them by the Company, came to Chattanooga, obtained the money on same and failed to return to the mines, or to pay over the money so obtained and borrowed and left for parts unknown. This failure to return to the mines and assume charge as foreman, leader and interpreter, created bitter enmity on the part of the other Italians towards him, and threats of his life, destruction of the property of the Company, dynamiting the mines, blowing up of the magazines, which contained large quantities of powder and dynamite, and if their threats had been carried out would have in all probability destroyed not only a great amount of property of the Company, but killed a large num-

ber of the native hard working miners and their families.

On the afternoon of May 25th, 1910, Mr. John Mitchell, deputy sheriff of Walker county, called deponent by telephone, which was out of order and went personally to Col. English's office in Chattanooga. He informed him of the riotous situation existing at the time among the Italians, stating that they would not permit the mules to be taken from the lot to be watered and fed, and that they had not been watered or fed for about 48 hours and that upon his attempting to enter the lot for the purpose of having them cared for he was surrounded by a large number of Italians and his life threatened if he dared attempt to remove the mules or feed them.

That the Italians who were operating No. 3 mine, ordered W. C. Derberry, our American mine foreman, not to enter the mine for inspection, and stated that they would not allow any of the native American miners to enter or work in the mines. Mr. Mitchell stated that he was unwilling to remain there any longer, as his life had been threatened, and that unless he received assistance, he feared the most serious results, and said that he was unwilling to return to the mines unless he had a sufficient number of men to enable him to protect the lives and property of the native miners, who were threatened if they should attempt to operate No. 3 mine.

Deponent further says that mine No. 4, owned by

the Company, is situated about three (3) miles from No. 3 mine, where the Italians were operating. The superintendent at No. 4 mine, informed him that practically all of the miners and their families, about 75 or 100 in number, were terrorized over the threats of the Italians to dynamite the store and magazine at that point, and that they were sitting up in groups, armed and afraid to retire, and that he was further informed that a Mr. Smedley, whose house is located near the magazine and occupied by himself and family, were so distressed that he took his family out of the house and went some distance back into the mountain, spending the night there for fear that the Italians might execute their threat and dynamite the magazine.

Deponent further says that upon receipt of this information he offered to return to the mines the next morning with Deputy Sheriff Mitchell, and that said Mitchell declined to do so, stating that he believed the property of the Company and the lives and property of the native miners were in grave danger, and that some decisive step should be taken at once to protect them, and that he believed only the militia could control the situation, protect the Company's property and give the native miners the protection that they were entitled to, and suggested that he communicate over the telephone with Governor Brown and notify him of the danger and request assistance.

Deponent further says that from the information

received by him from E. A. Turner, superintendent of mine No. 4, and from the statements made by Deputy Sheriff Mitchell, he believed the situation to be very grave. He called up his attorney, Hon. Earl Jackson, at LaFayette, Georgia, and explained the situation to him and asked him to communicate immediately with Sheriff Garmony, requesting him to visit the mines the following morning, and that he would accompany him. That in the discussion of the matter between Mr. Jackson, Deputy Sheriff Mitchell and himself, it was decided best for the interest of the Company, the native miners and the inhabitants of the vicinity of the mines to communicate this situation to Governor Brown at once and ask his protection of the innocent ones who were not engaged in this riotious conduct. Deponent further says that thereupon he called Governor Brown over the telephone and communicated fully the foregoing information to him, telling him that Deputy Sheriff Mitchell thought that the militia alone could furnish the protection to the property and the Company, and the people of the vicinity.

Deponent further says that the troops arrived the following morning in command of Captain Meikleham, accompanied by Sheriff R. S. Garmony, Deputy Sheriff John Mitchell, Hon. Earl Jackson and himself, and that he was informed upon arrival at the mines that the Italians had received information that the militia was enroute, and therefore, when the soldiers arrived all was quiet and there were no scenes of disorder.

Deponent further says that warrants were sworn out for the arrest of the Italians, charging them with the offense of rioting, and upon their agreement, through an interpreter, to desist from further disorder and leave the property of the Lookout Mountain Coal & Coke Company, the warrants were withdrawn and they were set free.

Deponent further says that a large number of daggers, stillettos, guns, pistols and other weapons were found upon the persons and in the hands of the Italians, and he submits herewith a sample of two of the weapons with which they were armed.

Deponent further says that being fully informed, as above detailed, as to the situation at the time Deputy Sheriff Mitchell called upon Governor Brown, through him, for the military company, that he feels sure that but for the timely aid rendered by the Governor in ordering out the militia, the property of the Company would have been seriously damaged, and that the lives of the native miners and their families would have been endangered.

Deponent further says that neither the Civil nor the Military authorities had any connection with the agreement between him, as President of the Company, and the Italians, to withdraw the warrants against them, and that said Italians freely and voluntarily left the premises of the Lookout Mountain Coal & Coke Company.

JAMES W. ENGLISH, JR.

I hereby certify that the above affidavit is correct to the best of my knowledge.

JOHN MITCHELL,

Deputy Sheriff Walker Co., Ga.

Sworn to and subscribed before me this June 16th,  
1910.

I. L. HOLBROOK,

Notary Public, Fulton County, Georgia.

Copy of Contract.

GEORGIA,

WALKER COUNTY.

Know all men by these presents, that the Look-out Mountain Coal & Coke Company, who shall hereafter be known and designated as the party of the first part, and MARTOGLIO GUIRINO and such other associates and partners, whose names hereinafter are signed to this contract, and who shall be known and designated as parties of the second part, all of said State WITNESSETH: That the said first party and the second parties have this day made and entered into the following contract and agreement, to-wit:

The said party of the first part contracts and agrees with said second parties;

First: To furnish what is known as number 3 mine, located on property of first party in Walker County, Georgia.

Second: To furnish such standing timber upon said first parties' property necessary to properly operate said mine; said timber to be cut under direction of said first party

Third: The use of any and all mining equipment, now at said No. 3 mine, an Inventory of which equipment is attached to and made a part of this contract.

Fourth: To employ an Experienced Mining Engineer to direct the methods and lay out the work of mining, and said work to be done in said mine under the direction of said Engineer.

Fifth: To pay said second parties \$1.20 per ton for all clean coal delivered f. o. b. on railroad cars for shipping at said mines, so long as the party of the first part receives not less than \$1.40 per ton for its coal f. o. b. mines; but in the event the price received by said first party shall at any time during the existence of this contract be less than \$1.40 per ton f. o. b. mines, then the price to be paid said second party shall be reduced to such a sum as will give the party of the first part a net profit of not less than .20c. per ton for all coal mined and delivered on railroad cars by parties of the second part, and shipped by first party, for the use of said mine and equipment, and as a royalty on the coal.



Sixth: Said first party does not guarantee, warrant or request the condition or safety of said mine, and does not assume any risk and undertakes no responsibility under this contract for any accident, injury or damage to any of said second parties, or any one working for them or under them, which may happen or take place during the continuance of this contract.

Seventh: Settlement shall be made upon the 20th day of every month for the month preceding, and said settlements for coal shall be made according to the weights of the Railway Company to whom it is delivered for shipment. In the settlement the amount of coal shipped in the month preceding, as per weight of R. R. Company, shall be the true amount of tons to be paid for as above set out to parties of the second part or their order, and any and all sums due the first party by the second parties shall be first deducted.

Eighth: Said first party has the right to refuse payment to any one of said second parties for each and every mine car of coal containing as much as one powder can of slate, dirt or rock.

Ninth: The sole right to terminate this contract if any of the terms and conditions of the same are violated by any of the second parties, together with the further right and privilege to take immediate possession of all of the property and effects in the hands of said second party which were obtained from

first party, unless it be such as shall have been paid for in full by said second parties, is reserved and may be enforced by said first parties.

It is further contracted, stipulated and agreed by said second parties who hereby accept the conditions and stipulations set out above, and who further upon their part contract and agree:

First: To take charge of said No. 3 mine and to put the same in a suitable and safe condition for mining, and to build tram tracks and make proper entries, rooms and halls, and do whatever is necessary to the safe and successful mining of coal in said No. 3 mine, under the direction of the mining engineer in charge.

Second: Commencing April 1st, 1910, to mine and load on Railroad cars for shipment not less than 5,000 tons of good, clean coal, free from slate, dirt or other impurities, every month during the continuance of this contract.

Third: Each and every one of the said second parties to this contract agree to work every day, except when sick and so reported by the camp physician.

Fourth: Said first party may make contract for not less than 5,000 tons per month from said No. 3 mine from April the first, 1910, during the length of this contract, and we contract and agree to for-

feit .20c per ton for every ton less than 5,000 tons per month, and we hereby authorize said first party to remain out of the amount due us said forfeit.

Fifth: To work said mine under the direction of an experienced mining engineer to be selected by said first party, and the decision of said engineer on all matters pertaining to the operation of said mines shall be final.

Sixth: Upon failure to mine and load f. o. b. on railroad cars for shipment of at least 5,000 tons per month, and upon receiving from said first party a written demand for said mine and property, we, each and every one, hereby contract and agree that this contract shall be at an end, and that we will give immediate possession to said first party the said mine and all equipment and other property in our possession belonging to said first party.

Seventh: We agree on the 10th day of each month to furnish the said first party with the pay-roll showing the amount due each man for the month previous. It being understood and agreed that the said first party is liable to said second party only for the payment of the number of tons of coal loaded each month as per R. R. weight as hercinbefore set out.

It is mutually agreed and understood by all parties to this contract that the said party is to be at no cost or expense in the preparation, operation and maintenance of said mines, nor is said first party to

be liable for any damage that may be done to said second parties, or any one else by reason of the condition of said mine, its operation or maintenance or anything connected with said operation.

The above and foregoing contract shall continue and be of force for five years from its date of execution, unless terminated at an earlier day by the provisions herein, and the amount of coal and its condition as to being free from dirt, rock and slate as herein set out, is essence of this contract. Nothing herein contained shall be construed as preventing the friends of second parties from working in said No. 3 mine.

In WITNESS Whereof we have hereunto set out hand and affixed our seals this 22nd day of March, 1910.

LOOKOUT MOUNTAIN COAL & COKE Co.,

James W. English, Jr., (Seal)

Mirtoglio Guirino, (Seal)

Germano Giglioni,

Alexandre Mencheni,

Arturo Calvani,

Adjujenti Vignali,

Signed, sealed and delivered in presence of

EARL JACKSON,

Gani Duffy,

Quincy Cesare,

Bolignini Actavio,

Tony Chansi,  
Ippolito Ballotti,  
Sianni Baroli,  
Gueorgiolini Egnito,  
Francors Guillard,  
Florin Macconel,  
Pietro Guianschi,  
Ferrino Guido,  
Balloti Danti,  
Raimondi Graisini,  
Valenir Barbini,  
Forcensto Fortunato,  
Reiciarelli Tacyro,  
Ferdinando Branchetti,  
Bartalo Marchesini,  
Quintilio Pasenichi,  
Chiciecci Suniballoddo,  
Oltavio Nemchini,  
Augusti Cortoriloi,  
Ernesto Fidelio,  
Armando Bragi,  
Armando Carbonani,  
Verno Gerogi,  
Tega Rigarioli,  
Tergio Guissepio,  
Calvinio Amerigo,  
Pacino Pici,  
Geo. Moorchesinio,  
Cecchini Alexandro,  
Germano Gughirdi,  
Vergiggio Pdisonesschi,

| NAME.                         | AMOUNT. |
|-------------------------------|---------|
| Florrie Mangenello -----      | \$39.30 |
| Joe Machesini -----           | 43.84   |
| Quintilio Pesencchi -----     | 47.25   |
| Angenta Catardi -----         | 60.00   |
| Germano Gigliondi -----       | 42.25   |
| Nosi Tonanzi -----            | 46.93   |
| Virgilie Corsini -----        | 46.93   |
| Velanti Barbini -----         | 46.50   |
| Bartolo Marchesini -----      | 38.75   |
| Ferdinando Branchetti -----   | 48.60   |
| Adjenti Vignali -----         | 46.10   |
| Alexandre Memcheni -----      | 42.50   |
| Dante Ballotti -----          | 48.32   |
| Iacopo Riciareli -----        | 44.02   |
| Ippilito Ballotti -----       | 47.50   |
| Octavio Bolognini -----       | 49.44   |
| Oltavio Memchnini -----       | 32.50   |
| Petro Pisaneshi -----         | 45.00   |
| Cessare Quihi -----           | 30.99   |
| Pacino Pici -----             | 47.50   |
| Mirtoglio Guirino & Co. ----- | 50.00   |
| Mrs. Nannie Fletcher -----    | 4.00    |
| French Guilliard -----        | 19.21   |
| Ferrino Guido -----           | 25.10   |
| Sinibaloddo Chiciecci -----   | 49.64   |
| Ramondi Graisini -----        | 47.58   |
| Egirti Gingnalini -----       | 29.74   |
| Ginsepi Gratzini -----        | 60.21   |
| Cezre Gnercia -----           | 21.31   |
| Pietro Pizanerchi -----       | 49.72   |

| NAME.                   | AMOUNT. |
|-------------------------|---------|
| Benbiro Magrini -----   | 35.64   |
| Pacino Paci -----       | 39.74   |
| Enerito Cartagnio ----- | 36.45   |
| Tosi Arnido -----       | 26.30   |
| Toni Censi -----        | 5.66    |
| Jon Tega -----          | 9.23    |
| Tega Ricaido -----      | 26.12   |
| Scotti Albino -----     | 16.78   |
| Emerto Fidell -----     | 14.35   |
| Armando Carbonani ----- | 7.58    |
| Armandi Bragi -----     | 10.50   |
| Arturo Calvani -----    | 75.00   |

(Exhibit E)

# AFFIDAVIT OF SHERIFF R. S. GARMANY.

STATE OF GEORGIA,

WALKER COUNTY.

In person comes R. S. Garmany, who on oath says:

“On May 25th, about 9:30 or 10 o'clock p. m., Col. Earl Jackson called me up on the local 'phone, saying that he had just heard from Mr. English, who said he wanted me and him (Col. Jackson) to go up to the Mountain with him the next morning as there was some trouble up there with the miners. I told Mr. Jackson that I was not feeling well, but thought I would feel better by morning, and would

go if possible. I did not know whether I could get off as I had some work to look after the next morning, but thought I might get Mr. Simms to attend to it for me, which I did. I heard nothing more until the next morning (May 26th). About 6 o'clock Mr. Jackson came to my house and asked if I could go to the mountain, saying to me that the Lindale troops would be up on the 8:45 train going to the mountain; that Mr. English had informed him of that fact some time late that night. I told Mr. Jackson that I would go up to the mountain, so I met the train and found the troops on the train. Mr. Jackson and myself got on the train in company with the troops for Durham Mines. On reaching Chickamauga we found Mr. English and Mr. John Mitchell, special deputy sheriff, waiting for the north bound train for Chattanooga, so we left Chickamauga for Durham. After leaving Chickamauga I asked Mr. Mitchell what the trouble was at the mines. He stated that the Italians would not work and would not let the mines be operated, nor the mules be fed or watered, and that they had made threats that they would kill Col. English if he put his foot back on that mountain.

Capt. Meekleham came to me on the train after passing Durham Junction, stating to me that if the miners were in a riotous condition and destroying the property, it was up to him to settle things the best way he saw fit to do, so I remarked to the Captain that I understood his position in the case. The



Captain then offered me any assistance that I might need. I thanked him, stating to him that I did not know the situation of things on the mountain; that I would investigate things after I got up there and let him know if I should need his assistance. After we reached Durham and were put on the side track, the Captain ordered his men to line up. After getting them lined up, Col. English remarked: "There are some of them," and commenced motioning and calling for them. Some of the men were in their shirt sleeves and some of them had coats on. They were arrested by the Captain's troops and placed in the car. I remarked to the Captain that they ought to be searched, so he gave orders to search them, so myself, T. E. Simms, special deputy sheriff, and one or two of the soldiers searched the Italians, finding one dirk and three or four ordinary pocket knives. They showed no resistance that I saw, and all seemed to be very submissive. There was some seven or eight of them that met the train with some citizens. After placing these Italians in the car, Col. English remarked he thought it best to round them all up and put them in the car. After so doing, there were two soldiers sent with each Italian to their houses to get their clothing. After getting their clothing they were carried back to the car and placed there under guard of soldiers. I did not see any of the Italians with guns. In the round up of Italians there was four double barrelled shotguns found, and I think two pistols and some more knives. I saw a good many cartridges, and I secured one ball

cartridge and now have it in my possession. About 12 o'clock the Italians had gotten up their baggage and were put in the car and guarded. We went from on the hill to where the car was, down on the side track. I asked Mr. Jackson what was going to be done with the Italians, and he said he did not know. I then told him to call Col. English and find out about it. English came to us and I asked him what he was going to do with these Italians. He said that he was going to send them to jail, and I told him that he had better get busy and swear out warrants and have them committed to jail, for this must be done before I could take any control of them. Mr. English called for two of the Italians to come out of the car to where he and I and Col. Jackson were standing. Mr. English called the two Italians, one of them "Butch," and the other, I don't remember his name. He stated to them, that if they would leave the mountain, keep off of his property, not stop in Chattanooga and not come about the Reed House, he would let them go, and not swear out any warrants, and then he told the two Italians to go back in the car and tell the rest of them what he had said, and to come back. After coming back from the car, they stated to Mr. English that they were all willing to leave—I think it was about 1 o'clock by this time. T. E. Simms and myself went up to Jake Whitt's store to get something to eat. Stayed up at the store something like an hour and went back down the railroad and sat down in the shade, waiting for the train. I don't remember what

time the train ran up to the station at Durham, but think it was half past two, or three p. m., as the train was late. After the train passed the side track where the car of Italians was placed, I went down on the side track near the car. Capt. Meekleham came to me, asking me to give him a release for twenty-two men. I told the Captain that I could not do so, as I did not have any of them in my charge. The Captain stated to me that he had notified the Governor that he had 22 men for the sheriff. I told the Captain that I was sorry that I could not sign a release for the 22 men, and I told him that if English or some one else would swear out warrants for them that I would arrest them and sign a release for them. After the warrants were sworn out by English, I arrested the 22 men in the car where they had been put by the soldiers and had been guarded for some three or four hours by the soldiers. After arresting the 22 Italians the Justice of the Peace (The N. P. & J. P.) and Mr. English were called into the car. Mr. English told the Italians that if they would leave the mountain and stay away he would withdraw the warrants. They all agreed to that, and Mr. English withdrew the warrants. I told them there was not anything against them, and that they were free, and they came on the same train to Chickamauga with the soldiers. Mr. Jackson told me that he was going to pay their railroad fare to Chattanooga, and I am satisfied that he did so, and I told Mr. Jackson that I thought it would be right to pay their way, as some

of them claimed to have no money. They were held without any dinner.

I was home in LaFayette, Georgia, on May 23, 24 and 25. I never got any word from Gov. Brown in regard to the riot at the Lookout Mountain Coal & Coke Co.'s place on Lookout Mountain or elsewhere.

All the information I got was from Col. Jackson, as heretofore stated. There were three Italian men left, one having been hurt in the mines and was not able to leave. Through information, I heard that one of the men's wife was there; that she was left there to take care of the crippled man. I heard Mr. English tell the two men to bring the crippled man to their house and take care of him. He called the woman out of the house and wrote her an order to the store for something to eat.

After arriving at the mines I found that there was no trouble that it required the militia to settle. I think I could have taken another man and arrested the Italians by having warrants for them. I heard after I got to the mines, that there had not been anything said except by two or three of the Italians. I did not see any resistance from any of the Italians.

I state furthermore that I went on the first train after receiving the information from Mr. Jackson of any trouble at the mines.

(Signed) R. S. GARMANY, Sheriff.

Georgia, Walker County:

In person before me, comes R. S. Garmany, who on oath, says that the foregoing affidavit is true.

E. FOSTER,

Ordinary of Walker County.

(Exhibit F)

CERTIFIED COPY OF WARRANT FOR ARREST  
OF ITALIAN MINERS SHOWING  
DISPOSITION OF SAME.

STATE OF GEORGIA,

WALKER COUNTY.

Personally came Jas. W. English, Jr., who on oath saith that to the best of his knowledge and belief Quintilio Pesenichi, Florrie Mangenello, Augusti Cortoriloi, Francors Guillard, Ferrino Guido, Ferdinando Branchetti, Fortunato Inocenta, Vergilie Corsini, Nosi Tonanzi, Ippilito Bologini, Guiseppi Graisini, Pacino Paci, Chembrieni Mogini, Ernesto Fidelio, Albino Scotti, Onie Ceni (or Toni Censi), Amango Valinio, Virgilio Pisaneschi, Egnito Gueorgiolini, Armando Carbonani, Ricardo Tega and Gio Tega, did on the 25th day of May, 1910, in the county aforesaid, commit the offense of riot by them and their assembling for the purpose of disturbing the

public peace, and did not disperse on the command of John Mitchell, a peace officer, and this deponent makes this affidavit that a warrant may issue for their arrest.

(Signed) JAMES W. ENGLISH, JR.

Sworn to and subscribed before me, this 26th day of May, 1910.

(Signed) J. A. WHITT, J. P.

STATE OF GEORGIA,  
WALKER COUNTY.

To any Sheriff, Deputy Sheriff, Coroner, Constable or Marshal of said State, Greeting:

J. W. English, Jr. makes oath before me that on the 25th day of May, in the year 1910, in the county aforesaid, Quintilio Pesenichi, Florrie Mangenello, Augusti Cortoriloi, Francors Guillard, Ferrino Guido, Ferdinando Branchetti, Fortunato Inocenta, Vergilie Corsini, Nosi Tonanzi, Ippolito Bolognini, Guiseppi Graisini, Pacino Paci, Chembrieni Mongini, Ernesto Fidelio, Albino Scotti, Onie Ceni (or Toni Censi), Amango Valinio, Virgilio Pisaneschi, Egnito Gueorgiolini, Armando Carbonani, Ricardo Tega and Gio Tega did commit the offense of riot, and are therefore commanded to arrest the body of said parties above named, and bring before me, or some other Judicial Officer of this State, to be dealt with as the law directs. Herein fail not.

Witness my official signature and seal this the 26th day of May, 1910.

(Signed) J. A. WHITT, J. P.

Executed the within warrant by arresting the within named defendants and bringing before J. A. Whitt, J. P., to-wit:

This May 26th, 1910.

(Signed) R. S. GARMANY.

This case being called and no appearance for the State, the Sheriff's warrant is hereby dismissed, this May 26th, 1910.

(Signed) J. A. WHITT, J. P.

GEORGIA, WALKER CO.

I hereby certify that the within copy warrant is a true copy of the original sworn out before me and lodged in my office May 26th, 1910, together with all the entries thereon. Given under my hand and official signature this June 10th, 1910.

J. A. WHITT, J. P.

The following communication was read:

*To the Speaker and House of Representatives of the  
State of Georgia:*

In behalf of the directors of the Appalachian Exposition, I most cordially extend through your honorable body to the citizens of Georgia an invitation to participate in the benefits of their great undertaking.

With the consummation of our forest and the protection of our water-sheds we have inaugurated a great exposition of exploitation and development of the latent resources of the Appalachian district, the richest section of America.

The resources of this great Appalachian territory consisting of parts of Georgia, North and South Carolina, the Virginias, Tennessee, Kentucky, and part of Alabama, will be shown to the world at one of the most pretentious expositions the American people have ever seen, and which will be held at Knoxville, Tenn., Sept. 12th to Oct. 12th, 1910.

I cordially urge and invite your endorsement, co-operation and presence during any and all the time of our holding.

President Taft, citizen Theodore Roosevelt, and other distinguished citizens are numbered among our guests.



Georgia being vitally interested and foremost in the march of progress in this district, and in the resources our exposition will exemplify, we are again sincerely and cordially extending an invitation to every citizen in the State of Georgia.

A special day during the holding of this great Appalachian Exposition will be designated as Georgia Day.

Respectfully yours,

WM. J. OLIVER,

President.

SANDFORD H. COHEN,

Asst. to President.

By unanimous consent the session of the House was extended for 10 minutes for the purpose of reading Senate and House bills a first and second time:

The following resolution was read and ordered to lie on table one day, to-wit:

By Mr. Garlington—

A resolution endorsing the Appalachian Exposition.

On motion of Mr. Hall, of Bibb, 300 copies of the Governor's Message were ordered printed, and that

the reading of the affidavits attached thereto be dispensed with, which motion prevailed.

The following resolutions, which were the special order for this morning were taken up and put upon their passage, to-wit:

By Mr. Hubbard, of Dawson—

A resolution to refund \$50 to J. R. Hubbard, et al, paid by him for charter.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman, Mr. Wohlwender, of Muscogee.

After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The report of the Committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |           |                    |
|---------------------|-----------|--------------------|
| Adams               | Atherton  | Beacham            |
| Alexander of Fulton | Atkinson  | Bell               |
| Allen               | Ault      | Berry              |
| Alley               | Barksdale | Brinson of Decatur |
| Anderson of Chatham | Baker     | Brinson of Emanuel |
| Armistead           | Barrett   | Brown of Carroll   |

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Brown of Henry     | Howell              | Pope              |
| Burch              | Hubbard             | Porter            |
| Buxton             | Huie                | Redding           |
| Calbeck            | Johnson of Bartow   | Reid of Campbell  |
| Cannon             | Joiner              | Reid of Macon     |
| Childs             | Jones of Meriwether | Roberts           |
| Converse           | Jones of Mitchell   | Rogers            |
| Cordell            | Kendrick            | Shirley           |
| Couch              | Kidd                | Slade             |
| Cowan              | Kirby               | Smith of Gilmer   |
| Daniel             | Littleton           | Smith of Tattnall |
| Davis              | Lovejoy             | Smith of Walton   |
| Edwards            | Meadows of Telfair  | Stovall           |
| Ellison            | Meadows of Toombs   | Tarver            |
| English            | Miller of Calhoun   | Tuggle            |
| Fairecloth         | Moore               | Turner            |
| Field of DeKalb    | Moss                | Turnipseed        |
| Ford               | MacFarland          | Upshaw            |
| Fullbright         | MacIntyre           | Vinson            |
| Gastley            | McCarthy            | Waddell           |
| Gillis             | McConnell           | Walters           |
| Graddick           | McCurry             | Wasden            |
| Hall               | McMahan             | Watkins           |
| Hordman of Jackson | McMichael of Butts  | White of Screven  |
| Harrington         | McMichael of Marion | Whiteley          |
| Hatfield           | McWhorter           | Wight of Grady    |
| Helms              | Oliver              | Williams          |
| Henderson of Irwin | Parker of Decatur   | Wohlwend          |
| Hendricks          | Parker of Talbot    | Wood              |
| Hill               | Paulk               | Woodliff          |
| Holder of Floyd    | Persons             |                   |
| Holtzelaw          | Pickett             |                   |

Those voting in the negative were Messrs:

|                     |         |                |
|---------------------|---------|----------------|
| Alexander of DeKalb | Drawdy  | Miller of Ware |
| Brown of Murray     | Guyton  | Mitchell       |
| Cooke               | Kennedy | McCutchen      |
| Culbertson          | Martin  |                |

Those not voting were Messrs.:

|                     |        |                 |
|---------------------|--------|-----------------|
| Anderson of Bullock | Bailey | Boyd            |
| Bagley              | Booker | Brown of Fulton |

|                      |                       |                   |
|----------------------|-----------------------|-------------------|
| Butt                 | Heard                 | Pierce            |
| Carswell             | Henderson of Turner   | Priea             |
| Carter               | Hullender             | Proctor           |
| Chandler             | Johnson of Jeff Davis | Reaves            |
| Cureton              | Johnson of Towns      | Reese             |
| Dickson              | Jones of Laurens      | Rentz             |
| Edmondson            | Keith                 | Rosser            |
| Elder                | Kelley                | Sheppard          |
| Ellis                | Kicklighter           | Simmons           |
| Evans                | Lawrence              | Simpson           |
| Fender               | Lewis                 | Strong            |
| Fields of Crisp      | Lord                  | Stubbs of Putnam  |
| Garlington           | Middlebrooks          | Stubbs of Thomas  |
| Godley               | Milikin               | Tippins           |
| Griffin of Sumter    | McArthur              | Tracey            |
| Griffin of Twiggs    | McCrory               | Wright of Floyd   |
| Hardeman of Jeff's n | McElreath             | Wright of Stewart |
| Harvey               | Peacock               | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 112, nays, 11.

The bill having received the requisite Constitutional majority was passed.

The following resolution was read, to-wit:

By Mr. McCurry, of Hart—

A resolution to make Senate Bill No. 180 a special order.

Referred to Committee on Rules.

The following report of the joint Committee to consider the advisability of erecting a building for a State Museum, submitted the following report:

*To the General Assembly of the State of Georgia:*

Your Committee appointed under House Resolution No. 203, providing for the appointment of a joint Committee of five from the House and three from the Senate, to consider the advisability and desirability of erecting a suitable building in some central location for a State Museum for a permanent exhibit of the agricultural, mineral and manufactured products of the State, and for providing room for the scientific departments of the State Government, thereby relieving the congested condition of the Capitol, beg leave to report that, after a careful investigation and personal inspection, in our opinion this movement is most timely

The business district of Atlanta is growing so rapidly that already the encroachment upon the zone of the present Gubernatorial Mansion property renders it undesirable as a residential district by reason of commercial environments, and the mansion property having become so valuable for commercial purposes, it is an opportune time for disposing thereof and securing a lot more eligibly located on which a new mansion, of Georgia material, that will be a credit to the State, may be erected and a lot on which a suitable building for purpose of a State Museum, embracing commodious quarters

for the State's scientific departments. From tentative bids and propositions for lots, it is our opinion that the mansion property will bring a sum sufficient to provide the Museum and new mansion without costing the State one cent.

We, therefore, concur in recommending strongly to the General Assembly the creation of a joint commission to be appointed, three from the House and two from the Senate, from the members of the present General Assembly, to take under consideration the proposition looking to the disposal of the present Gubernatorial Mansion property on terms of advantage to the State and securing of lots for a new mansion and Museum Building, and, having a definite plan, report such back to the session of the General Assembly in 1911 for its approval.

All of which is respectfully submitted,

H. A. MATHEWS,

J. R. MCCOLLUM,

G. Y. HARRELL,

Committee on part of Senate.

J. S. DAVIS,

SAM F. GARLINGTON,

WILLIAM BUTT,

J. A. J. HENDERSON,

L. G. HARDMAN,

Committee on part of House of Representatives.

The next special order for a third reading was as follows:

By Mr. Moss, of Cobb

A bill to appropriate \$2,000 for the completion of the improvements of the Confederate Cemetery at Marietta.

An appropriation being involved the Speaker resolved the House into a Committee of the whole and designated as Chairman, Mr. Turnipseed.

After a consideration the Committee arose and through their Chairman reported the same back with the recommendation that it do pass.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |          |
|---------------------|--------------------|----------|
| Alexander of DeKalb | Barksdale          | Butt     |
| Alexander of Fulton | Baker              | Buxton   |
| Allen               | Barrett            | Calbeck  |
| Alley               | Bell               | Cannon   |
| Anderson of Bullock | Brinson of Decatur | Chandler |
| Anderson of Chatham | Brinson of Emanuel | Childs   |
| Armistead           | Brown of Carroll   | Conversa |
| Atherton            | Brown of Henry     | Cooke    |
| Atkinson            | Brown of Murray    | Cordell  |
| Ault                | Burch              | Couch    |

|                     |                    |                   |
|---------------------|--------------------|-------------------|
| Cowan               | Keith              | Pope              |
| Culberson           | Kelley             | Porter            |
| Daniel              | Kendrick           | Proctor           |
| Drawdy              | Kennedy            | Redding           |
| Edwards             | Kidd               | Reid of Campbell  |
| Ellison             | Kirby              | Reid of Macon     |
| English             | Lawrence           | Rentz             |
| Evans               | Lewis              | Roberts           |
| Fairecloth          | Littleton          | Rogers            |
| Field of DeKalb     | Lovejoy            | Sheppard          |
| Ford                | Martin             | Shirley           |
| Fullbright          | Meadows of Telfair | Slade             |
| Garlington          | Meadows of Toombs  | Smith of Gilmer   |
| Gastley             | Middlebrooks       | Smith of Tattnall |
| Gillis              | Miller of Calhoun  | Smith of Walton   |
| Godley              | Miller of Ware     | Stovall           |
| Graddick            | Mitchell           | Stubbs of Putnam  |
| Griffin of Sumter   | Moore              | Stubbs of Thomas  |
| Guyton              | Moss               | Tarver            |
| Hall                | MacFarland         | Tuggle            |
| Hardman of Jackson  | MacIntyre          | Turnipseed        |
| Harrington          | McCarthy           | Upshaw            |
| Hatfield            | McConnell          | Vinson            |
| Helms               | McCrory            | Waddell           |
| Henderson of Irwin  | McCurry            | Walters           |
| Hill                | McCutchen          | Wasden            |
| Holder of Floyd     | McElreath          | Watkins           |
| Holtzclaw           | McMahan            | White of Screven  |
| Howell              | McMichael of Butts | Whiteley          |
| Hubbard             | McWhorter          | Wight of Grady    |
| Huie                | Parker of Decatur  | Williams          |
| Johnson of Bartow   | Parker of Talbot   | Wohlwender        |
| Joiner              | Paulk              | Wood              |
| Jones of Meriwether | Persons            | Woodliff          |
| Jones of Mitchell   | Pickett            | Wright of Floyd   |

Those voting in the negative were Messrs.:

Adams

Berry

Those not voting were Messrs.:

Bagley

Beacham

Boyd

Bailey

Booker

Brown of Fulton



|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Carswell            | Henderson of Turner   | Pierce            |
| Carter              | Hendricks             | Prica             |
| Cureton             | Hullender             | Reaves            |
| Davis               | Johnson of Jeff Davis | Reese             |
| Dickson             | Johnson of Towns      | Rosser            |
| Edmondson           | Jones of Laurens      | Simmons           |
| Elder               | Kicklighter           | Simpson           |
| Ellis               | Lord                  | Strong            |
| Fender              | Milikin               | Tippins           |
| Fields of Crisp     | Minter                | Tracey            |
| Griffin of Twiggs   | McArthur              | Turner            |
| Hardeman of Jeffs'n | McMichael of Marion   | Wright of Stewart |
| Harvey              | Oliver                | Mr. Speaker       |
| Heard               | Peacock               |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 127, nays, 2.

The bill having received the requisite Constitutional majority was passed.

Mr. Anderson, of Chatham, moved to adjourn, which motion prevailed and the business for which the session was extended was taken up.

The following bills were introduced and read the first time, to-wit:

By Mr. Hardman, of Jackson—

A bill to incorporate the city of Commerce.

Referred to Committee on Corporations.

By Mr. Johnson, of Bartow—

A bill to amend the charter of the town of Kingston.

Referred to Committee on Corporations.

By Messrs. Alley, of White; Kendrick, of Taliaferro, et al—

A resolution in relation to the matter of the State of Georgia vs. the Tennessee Copper Co.

Referred to Committee on General Judiciary.

By Mr. Brown, of Murray—

A bill to fix the salary of the Treasurer of Murray county.

Referred to Committee on Counties and County Matters.

By Mr. Allen, of Upson—

A resolution relative to the sale of Georgia Reports.

Referred to Committee on Public Library.

By Mr. White, of Screven—

A bill to provide that counsel shall be given notice in cases decided in the Supreme Court and Court of Appeals.

Referred to Committee on General Judiciary.

By Mr. White, of Screven—

A bill to provide for the service of affidavits in interlocutory hearings.

Referred to Committee on General Judiciary.

By Mr. White, of Screven—

A bill to provide for the service of amended grounds for new trials in the Superior Courts.

Referred to Committee on General Judiciary.

By Mr. Anderson, of Bullock—

A bill to detach the county of Bullock from the Middle Judicial Circuit.

Referred to Committee on General Judiciary.

The following bills were read the second time, to-wit:

By Mr. Fullbright, of Burke—

A bill to amend an Act to authorize the publication of Georgia Reports.

By Mr. Fullbright, of Burke—

A bill to provide for the purchase of certain Georgia Reports.

By Mr. Alley, of White—

A bill to prevent the hunting of foxes in White county in certain seasons.

The following resolution was read and adopted, to-wit:

By Messrs. McMichael, Woods and Alexander—

A resolution giving indefinite leave of absence to Hon. R. P. Minter on account of sickness.

The following Senate bills were read the first time, to-wit:

By Mr. Kemp, of 16th district—

A bill to incorporate the Lanier School District.

Referred to Committee on Education.

By Mr. Mays, of 26th district—

A bill to amend an Act to authorize electric railways, etc., to acquire by purchase, lease or otherwise the stock, property, rights and franchises of other such companies.

Referred to Committee on Railroads.

By Mr. Calhoun, of 15th district—

A bill to incorporate the town of Alston.

Referred to Committee on Corporations.

By Mr. Pitts, of 43rd district—

A bill to amend the several Acts to incorporate the city of Dalton.

Referred to Committee on Corporations.

By Mr. McClure, of 39th district—

A bill to amend Section 982, Volume 1 of the Code so as to add the town of Canton to list of State depositories.

Referred to Committee on Banks and Banking.

Leave of absence was granted Mr. Simpson on account of illness.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

|                     |           |                      |
|---------------------|-----------|----------------------|
| Adams               | Butt      | Field of DeKalb      |
| Alexander of DeKalb | Buxton    | Fields of Crisp      |
| Alexander of Fulton | Calbeck   | Ford                 |
| Allen               | Cannon    | Fullbright           |
| Alley               | Carswell  | Garlington           |
| Anderson of Bullock | Carter    | Gastley              |
| Anderson of Chatham | Chandler  | Gillis               |
| Armistead           | Childs    | Godley               |
| Atherton            | Converso  | Graddick             |
| Atkinson            | Cooke     | Griffin of Sumter    |
| Ault                | Cordell   | Griffin of Twiggs    |
| Barksdale           | Couch     | Guyton               |
| Bagley              | Cowan     | Hall                 |
| Bailey              | Culberson | Hardeman of Jeff's'n |
| Baker               | Cureton   | Hardman of Jackson   |
| Barrett             | Daniel    | Harrington           |
| Beacham             | Davis     | Harvey               |
| Bell                | Dickson   | Hatfield             |
| Berry               | Drawdy    | Heard                |
| Booker              | Edmondson | Helms                |
| Boyd                | Edwards   | Henderson of Irwin   |
| Brinson of Decatur  | Elder     | Henderson of Turner  |
| Brinson of Emanuel  | Ellis     | Hendricks            |
| Brown of Carroll    | Ellison   | Hill                 |
| Brown of Fulton     | English   | Holder of Floyd      |
| Brown of Henry      | Evans     | Heltzelaw            |
| Brown of Murray     | Faireloth | Howell               |
| Burch               | Fender    | Hubbard              |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Hullender             | McArthur            | Shirley           |
| Huie                  | McCarthy            | Simmons           |
| Johnson of Bartow     | McConnell           | Simpson           |
| Johnson of Jeff Davis | McCrory             | Slade             |
| Johnson of Towns      | McCurry             | Smith of Gilmer   |
| Joiner                | McCutchen           | Smith of Tattnall |
| Jones of Laurens      | McElreath           | Smith of Walton   |
| Jones of Meriwether   | McMahan             | Stovall           |
| Jones of Mitchell     | McMichael of Butts  | Strong            |
| Keith                 | McMichael of Marion | Stubbs of Putnam  |
| Kelley                | McWhorter           | Stubbs of Thomas  |
| Kendrick              | Oliver              | Tarver            |
| Kennedy               | Parker of Decatur   | Tippins           |
| Kicklighter           | Parker of Talbot    | Tracey            |
| Kidd                  | Paulk               | Tuggle            |
| Kirby                 | Peacock             | Turner            |
| Lawrence              | Persons             | Turnipseed        |
| Lewis                 | Pickett             | Upshaw            |
| Littleton             | Pierce              | Vinson            |
| Lord                  | Popo                | Waddell           |
| Lovejoy               | Porter              | Walters           |
| Martin                | Price               | Wasden            |
| Meadows of Telfair    | Proctor             | Watkins           |
| Meadows of Toombs     | Reaves              | White of Screven  |
| Middlebrooks          | Redding             | Whiteley          |
| Miller of Calhoun     | Reese               | Wight of Grady    |
| Miller of Ware        | Reid of Campbell    | Williams          |
| Milikin               | Reid of Macon       | Wohlwender        |
| Mitchell              | Rentz               | Wood              |
| Moore                 | Roberts             | Woodliff          |
| Moss                  | Rogers              | Wright of Floyd   |
| MacFarland            | Rosser              | Wright of Stewart |
| MacIntyre             | Sheppard            | Mr. Speaker       |

Mr. Minter was absent.

The following special orders were read the third time and put upon their passage, to-wit:

By Mr. Vinson, of Baldwin, and Persons, of Monroe, et al—

A bill to appropriate \$15,000 for the erection and equipping of building for treatment of tuberculosis.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman, Mr. Sheppard, of Sumter.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The following amendment was adopted, to-wit:

By Mr. Hall, of Bibb—

To amend Section 1 by striking therefrom all the words after the word "sum" in line next to last and insert in lieu thereof the following: "That it shall be the duty of the said Board to have plans of said buildings prepared and specifications drawn and shall advertise for bids and shall let the work to the lowest responsible bidder which bid shall be submitted to the Governor, who shall approve the same and shall require the contractor to give bond to the State for the faithful performance of the work and the Governor shall draw his warrant on the Treasury in favor of the contractor from time to time as the work progresses, said sums to be drawn only on



the certificate of the architect showing the amount of work accomplished.”

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Cordell               | Henderson of Irwin  |
| Alexander of DeKalb | Couch                 | Bill                |
| Alexander of Fulton | Culberson             | Holder of Floyd     |
| Allen               | Daniel                | Holtzelaw           |
| Alley               | Davis                 | Habbarid            |
| Anderson of Bullock | Drawdy                | Hullender           |
| Anderson of Chatham | Edwards               | Huie                |
| Armistead           | Ellison               | Joiner              |
| Atkinson            | English               | Jones of Meriwether |
| Ault                | Evans                 | Jones of Mitchell   |
| Barksdale           | Fairecloth            | Keith               |
| Baker               | Field of DeKalb       | Kendrick            |
| Barrett             | Fields of Crisp       | Kennedy             |
| Bell                | Ford                  | Kicklighter         |
| Booker              | Fullbright            | Kidd                |
| Brinson of Decatur  | Garlington            | Kirby               |
| Brinson of Emanuel  | Gastley               | Lewis               |
| Brown of Fulton     | Gillis                | Littleton           |
| Brown of Henry      | Godley                | Lovejoy             |
| Brown of Murray     | Graddick              | Martin              |
| Burch               | Griffin of Sumter     | Meadows of Telfair  |
| Butt                | Cuvton                | Meadows of Toombs   |
| Buxton              | Hall                  | Miller of Calhoun   |
| Calbeck             | Hardeman of Jefferson | Miller of Ware      |
| Cannon              | Hardman of Jackson    | Mitchell            |
| Carter              | Harrington            | Moore               |
| Childs              | Harvey                | Most                |
| Converso            | Hatfield              | MacFarland          |
| Cooke               | Helms                 | MacIntyre           |

|                     |                   |                  |
|---------------------|-------------------|------------------|
| McCarthy            | Porter            | Tuggle           |
| McConnell           | Proctor           | Turnipseed       |
| McCrary             | Redding           | Upshaw           |
| McCurry             | Reese             | Vinson           |
| McCutchen           | Reid of Campbell  | Waddell          |
| McElreath           | Reid of Macon     | Wasden           |
| McMahan             | Robert            | Watkins          |
| McMichael of Butts  | Rogers            | White of Screven |
| McMichael of Marion | Rosser            | Whiteley         |
| McWhorter           | Sheppard          | Wight of Grady   |
| Olive               | Slade             | William          |
| Parker of Decatur   | Smith of Tattnall | Wohlwend         |
| Parker of Talbot    | Smith of Walton   | Wood             |
| Paulk               | Stubbs of Putnam  | Woodliff         |
| Persons             | Stubbs of Thomas  | Wright of Floyd  |
| Pierce              | Tarver            |                  |
| Pope                | Tracey            |                  |

Those voting in the negative were Messrs.:

|         |                  |         |
|---------|------------------|---------|
| Beacham | Brown of Carroll | Cureton |
| Berry   | Chandler         |         |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Atherton            | Howell                | Reaves            |
| Bagley              | Johnson of Bartow     | Rentz             |
| Bailey              | Johnson of Jeff Davis | Shirley           |
| Boyd                | Johnson of Towns      | Simmons           |
| Carswell            | Jones of Laurens      | Simpson           |
| Cowan               | Kelley                | Smith of Gilmer   |
| Dickson             | Lawrence              | Stovall           |
| Edmondson           | Lord                  | Strong            |
| Elder               | Middlebrooks          | Tippins           |
| Ellis               | Milikin               | Turner            |
| Fender              | Minter                | Walters           |
| Griffin of Twiggs   | McArthur              | Wright of Stewart |
| Heard               | Peacock               | Mr. Speaker       |
| Henderson of Turner | Pickett               |                   |
| Hendricks           | Price                 |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 136, nays, 5.

The bill having received the requisite Constitutional majority was passed as amended.

On motion of Mr. Anderson, of Chatham, House Bill No. 600 was tabled.

Mr. Persons, of Monroe, asked unanimous consent that House Bill No. 259 be recommitted to the Committee on Constitutional Amendments and that House Bill No. 257 which was the bill that was intended to be reported when No. 259 was reported be considered read a second time, which motion prevailed.

The next special order was as follows, to wit:

By Mr. Wright, of Floyd—

A bill to create in the State Library a Bureau of Legislative Information and make appropriation for support and maintenance of same.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated Mr. Hardman, of Jackson, Chairman.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do not pass.

On motion of Mr. Hall, of Bibb, the bill was tabled.

By Mr. Tarver, of Whitfield—

A resolution providing for an appropriation of \$2,500 to erect a monument to Gen. Joseph E. Johnston.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman, Mr. Lovejoy, of Troup.

After a consideration of the resolution the Committee arose and through its Chairman reported the the same back with the recommendation that it do pass by substitute.

The substitute proposed by the Committee was agreed to.

The favorable report of the Committee by substitute was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Alexander of DeKalb | Fullbright          | McCurry            |
| Alexander of Fulton | Garlington          | McElreath          |
| Allen               | Gillis              | McMahan            |
| Alley               | Godley              | McMichael of Butts |
| Anderson of Bullock | Graddick            | McWhorter          |
| Anderson of Chatham | Griffin of Sumter   | Oliver             |
| Armistead           | Gayton              | Parker of Talbot   |
| Atherton            | Hall                | Paulk              |
| Atkinson            | Hardeman of Jeffs'n | Persons            |
| Ault                | Hardman of Jackson  | Pickett            |
| Barksdale           | Harrington          | Pierce             |
| Bailey              | Harvey              | Pope               |
| Baker               | Hatfield            | Porter             |
| Barrett             | Helms               | Proctor            |
| Booker              | Henderson of Irwin  | Redding            |
| Brown of Carroll    | Hullender           | Reid of Macon      |
| Brown of Fulton     | Huie                | Roberts            |
| Brown of Murray     | Johnson of Bartow   | Rogers             |
| Burch               | Joiner              | Rosser             |
| Butt                | Jones of Meriwether | Sheppard           |
| Calbeck             | Jones of Mitchell   | Shirley            |
| Childs              | Kendrick            | Slade              |
| Converso            | Kennedy             | Smith of Tattnall  |
| Cooke               | Kicklighter         | Smith of Walton    |
| Cordell             | Kirby               | Stovall            |
| Cowan               | Lewis               | Tarver             |
| Culbertson          | Littleton           | Turnipseed         |
| Cureton             | Lovejoy             | Upshaw             |
| Daniel              | Martin              | Vinson             |
| Davis               | Meadows of Telfair  | Waddell            |
| Edwards             | Meadows of Toombs   | Wadsen             |
| Ellison             | Miller of Ware      | Watkins            |
| English             | Moore               | Whitelev           |
| Evans               | Most                | Wight of Grady     |
| Fairecloth          | MacIntyre           | Williams           |
| Field of DeKalb     | McCarthy            | Wohlwender         |
| Ford                | McCrory             | Wright of Floyd    |

## Those voting in the negative were Messrs.:

|         |                    |                |
|---------|--------------------|----------------|
| Beacham | Berry              | Brown of Henry |
| Bell    | Brinson of Decatur | Carter         |

|                 |                   |                  |
|-----------------|-------------------|------------------|
| Chandler        | Kidd              | Stubbs of Putnam |
| Couch           | MacFarland        | Stubbs of Thomas |
| Drawdy          | McCutchen         | Tracey           |
| Fields of Crisp | Parker of Decatur | Walter           |
| Gastley         | Reese             | Wood             |
| Keith           | Reid of Campbell  | Woodliff         |

Those not voting were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Holder of Floyd       | McMichael of Marion |
| Bagley              | Holtzelaw             | Peacock             |
| Boyd                | Howell                | Price               |
| Brinson of Emanuel  | Hubbard               | Reaves              |
| Buxton              | Johnson of Jeff Davis | Rentz               |
| Cannon              | Johnson of Towns      | Simmons             |
| Carswell            | Jones of Laurens      | Simpson             |
| Dickson             | Kelley                | Smith of Gilmer     |
| Edmondson           | Lawrence              | Strong              |
| Elder               | Lord                  | Tippins             |
| Ellis               | Middlebrooks          | Tuggle              |
| Fender              | Miller of Calhoun     | Turner              |
| Griffin of Twiggs   | Milikin               | White of Screven    |
| Heard               | Minter                | Wright of Stewart   |
| Henderson of Turner | Mitchell              | Mr. Speaker         |
| Hendricks           | McArthur              |                     |
| Hill                | McConnell             |                     |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 111, nays, 24.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. McMichael, of Butts—

A resolution to authorize the Governor to employ the money arising from the rental of Indian

Spring to pay the keeper of the public comfort building.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman, Mr. Cureton, of Dade.

After a consideration of the resolution the Committee arose and reported the same back with the recommendation that it do pass.

The report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                   |                       |
|---------------------|-------------------|-----------------------|
| Alexander of Fulton | Cowan             | Hardeman of Jefferson |
| Allen               | Culberson         | Hardman of Jackson    |
| Alley               | Cureton           | Harrington            |
| Anderson of Chatham | Davis             | Harvey                |
| Armistead           | Drawdy            | Hatfield              |
| Atherton            | Edwards           | Helms                 |
| Atkinson            | Ellison           | Henderson of Irwin    |
| Ault                | English           | Hill                  |
| Baker               | Evans             | Holtzelaw             |
| Barrett             | Faireloth         | Hullender             |
| Bell                | Field of DeKalb   | Huie                  |
| Booker              | Fields of Crisp   | Jones of Meriwether   |
| Brown of Carroll    | Ford              | Jones of Mitchell     |
| Brown of Henry      | Fullbright        | Kendrick              |
| Brown of Murray     | Garlington        | Kennedy               |
| Burch               | Gillis            | Lewis                 |
| Butt                | Graddick          | Littleton             |
| Carter              | Griffin of Sumter | Lovejoy               |
| Chandler            | Guyton            | Martin                |
| Childs              | Hall              | Meadows of Telfair    |

|                    |                   |                  |
|--------------------|-------------------|------------------|
| Meadows of Toombs  | Oliver            | Smith of Walton  |
| Miller of Ware     | Faulk             | Tarver           |
| Moore              | Pickett           | Tracey           |
| Moss               | Pierce            | Tuggle           |
| MacFarland         | Proctor           | Upshaw           |
| MacIntyre          | Redding           | Vinson           |
| McCarthy           | Reese             | Walters          |
| McCrary            | Reid of Campbell  | Wasden           |
| McCurry            | Rosser            | Watkins          |
| McCutchen          | Sheppard          | White of Screven |
| McElreath          | Shirley           | Wight of Grady   |
| McMahan            | Slade             | William          |
| McMichael of Butts | Smith of Gilmer   | Wohlwender       |
| McWhorter          | Smith of Tattnall | Wood             |

Those voting in the negative were Messrs.:

|                     |                   |                  |
|---------------------|-------------------|------------------|
| Alexander of DeKalb | Gastley           | Stubbs of Putnam |
| Berry               | Kirby             | Stubbs of Thomas |
| Cooke               | Parker of Decatur | Turnipseed       |
| Couch               | Parker of Talbot  | Whiteley         |
| Daniel              | Porter            |                  |

Those not voting were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Edmondson             | Keith               |
| Anderson of Bullock | Elder                 | Kelley              |
| Barksdale           | Ellis                 | Kicklighter         |
| Bagley              | Fender                | Kidd                |
| Bailey              | Godley                | Lawrence            |
| Beacham             | Griffin of Twiggs     | Lord                |
| Boyd                | Heard                 | Middlebrooks        |
| Brinson of Decatur  | Henderson of Turner   | Miller of Calhoun   |
| Brinson of Emanuel  | Hendricks             | Milikin             |
| Brown of Fulton     | Holder of Floyd       | Minter              |
| Buxton              | Howell                | Mitchell            |
| Calbeck             | Hubbard               | McArthur            |
| Cannon              | Johnson of Bartow     | McConnell           |
| Carswell            | Johnson of Jeff Davis | McMichael of Marion |
| Converse            | Johnson of Towns      | Peacock             |
| Cordell             | Joiner                | Pearson             |
| Dickson             | Jones of Laurens      | Pop                 |



|               |         |                   |
|---------------|---------|-------------------|
| Price         | Simmons | Waddell           |
| Reaves        | Simpson | Woodliff          |
| Reid of Macon | Stovall | Wright of Floyd   |
| Rentz         | Strong  | Wright of Stewart |
| Robertt       | Tippins | Mr. Speaker       |
| Rogers        | Turner  |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 102, nays, 14.

The resolution having received the requisite Constitutional majority was passed. •

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

## ATLANTA, GEORGIA,

TUESDAY, JULY 26, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                      |
|---------------------|-----------|----------------------|
| Adams               | Burch     | Fairecloth           |
| Alexander of DeKalb | Butt      | Fender               |
| Alexander of Fulton | Buxton    | Field of DeKalb      |
| Allen               | Calbeck   | Fields of Crisp      |
| Alley               | Cannon    | Ford                 |
| Anderson of Bullock | Carswell  | Fullbright           |
| Anderson of Chatham | Carter    | Garlington           |
| Armistead           | Chandler  | Gastley              |
| Atherton            | Childs    | Gillis               |
| Atkinson            | Converso  | Godley               |
| Aul;                | Cooke     | Graddick             |
| Barksdale           | Cordell   | Giffin of Sumter     |
| Bagley              | Couch     | Giffin of Twiggs     |
| Bailey              | Cowan     | Guyton               |
| Baker               | Culberson | Hall                 |
| Barrett             | Cureton   | Hardeman of Jeff's'n |
| Beacham             | Daniel    | Hardman of Jackson   |
| Bell                | Davis     | Harrington           |
| Berry               | Dickson   | Harvey               |
| Booker              | Drawdy    | Hatfield             |
| Boyd                | Edmondson | Heard                |
| Brinson of Decatur  | Edwards   | Helms                |
| Brinson of Emanuel  | Elder     | Henderson of Irwin   |
| Brown of Carroll    | Ellis     | Henderson of Turner  |
| Brown of Fulton     | Ellison   | Hendricks            |
| Brown of Henry      | English   | Hill                 |
| Brown of Murray     | Evans     | Holder of Floyd      |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Eoltzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnell |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Oliver              | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Fennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipsced        |
| Kirby                 | Persona             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Pierce              | Waddell           |
| Littleton             | Popa                | Walters           |
| Lord                  | Porter              | Wasden            |
| Lovejoy               | Pricc               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | Williams          |
| Miller of Calhoun     | Reid of Campbell    | Wohlwender        |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Roberts             | Wright of Floyd   |
| Moore                 | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Lewis, of Hancock, gave notice that at the proper time he would move to re-consider the action of the House in passing House Bill No. 919.

By unanimous consent the following bills were read the first time, to-wit:

By Messrs. Alexander and Field, of DeKalb—

A bill to incorporate the town of East End.

Referred to Committee on Corporations.

By Mr. Miller, of Calhoun—

A bill to repeal an Act to increase the number of Commissioners of Roads and Revenues for Calhoun County.

Referred to Committee on Special Judiciary.

By Mr. Griffin, of Sumter—

A bill to regulate the width of tires on wagons and other vehicles run over the public roads of this State.

Referred to Committee on General Agriculture.

By Mr. Carswell, of Wilkinson—

A bill to incorporate the town of McIntyre.

Referred to Committee on Corporations.

By Mr. Miller, of Calhoun—

A bill to amend an Act to create the City Court of Calhoun County.

Referred to Committee on Special Judiciary.

By unanimous consent House Bill No. 74 was taken from the table and placed on the Calendar.

The following bill was also read the first time by unanimous consent, to-wit:

By Mr. Meadows, of Telfair—

A bill to amend an Act to create the City Court of McRae.

Referred to Committee on Special Judiciary.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Chandler, of Franklin—

A bill to amend Section 220 of the Code, so as to exempt persons from the provisions of said Section when it becomes necessary to go upon the lands of another in counties where a local drainage law is in operation.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99; nays, 1.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent House Bill No. 27 was taken from the table and placed upon the Calendar.

By Mr. Alley, of White—

A bill to prescribe in what instances bills of indictments and presentments may be drawn by Solicitors-General.

The following amendment was adopted:

To amend by adding the word “or” at the end of Paragraph 1, Section 1.

Also,

To amend by inserting between words “foreman” and “of” in Paragraph 2, Section 1, the words “or any member.”

Also,

To amend by adding at end of Paragraph 2, the word “or.”

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 84; nays, 31.

The bill having failed to receive the requisite Constitutional majority was lost.

By Mr. Reid, of Campbell—

A bill to amend Section 194, Volume 3, of the Code of 1895, relative to punishment of the offense of larceny after trust.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following Senate Bill was read the third time and put upon its passage, to-wit:

By Mr. Price, of 27th District—

A bill to amend Section 420 of the Code, relative to running of freight trains on Sunday, etc.

On motion of Mr. Lewis, of Hancock, the above bill was tabled.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to repeal an Act to create a Board of Commissioners of Roads and Revenues of Butts county.

A bill to amend Section 982, Volume 1, of the Code, so as to add Gordon, in Wilkinson county, to the list of State depositories.

A bill to incorporate the town of Ila, in the county of Madison.

A bill to incorporate the town of Lilburn, in the county of Gwinnett.

The Senate has passed by substitute, by a requisite Constitutional majority, the following bill of the House, to-wit:

A bill to create the office of Commissioner of Roads and Revenues in the county of Butts.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:



By Mr. Hall, of Bibb—

A bill to amend an Act to amend Section 2388 of the Civil Code, so as to construe certain words.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 1.

The bill having received the requisite Constitutional majority was passed.

On motion of Mr. Lewis, of Hancock, the House re-considered its action in passing on yesterday House Bill No. 919.

The following special orders were read the third time and put upon their passage, to-wit:

By Mr. Jackson, of 21st District—

A resolution proposing to ratify an amendment to the Constitution of the United States, relative to an income tax.

Mr. Vinson, of Baldwin, proposed a substitute which was lost.

On the adoption of the resolution the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Adams               | Fields of Crisp     | Miller of Ware     |
| Alexander of DeKalb | Ford                | Milikin            |
| Alexander of Fulton | Gastley             | Mitchell           |
| Alley               | Cillis              | Moore              |
| Anderson of Bullock | Gedley              | MacIntyre          |
| Armistead           | Graddick            | McCarthy           |
| Atherton            | Griffin of Sumter   | McConnell          |
| Atkinson            | Griffin of Twiggs   | McTory             |
| Ault                | Guyton              | McCurry            |
| Bailey              | Hall                | McCutchen          |
| Baker               | Hardeman of Jeffs'n | McMahan            |
| Barrett             | Hardman of Jackson  | McMichael of Butts |
| Bell                | Harrington          | McWhorter          |
| Berry               | Hatfield            | Olive              |
| Booker              | Helms               | Parker of Decatur  |
| Brinson of Emanuel  | Henderson of Turner | Persons            |
| Brown of Carroll    | Hendricks           | Pickett            |
| Brown of Henry      | Hill                | Porter             |
| Brown of Murray     | Holder of Floyd     | Pricg              |
| Butt                | Howell              | Proctor            |
| Buxton              | Hullender           | Redding            |
| Carswell            | Huie                | Reid of Campbell   |
| Carter              | Johnson of Bartow   | Rentz              |
| Chandler            | Joiner              | Rogers             |
| Childs              | Jones of Laurens    | Sheppard           |
| Converso            | Jones of Meriwether | Shirley            |
| Cooke               | Jones of Mitchell   | Simpson            |
| Cordell             | Keith               | Slade              |
| Cowan               | Kendrick            | Smith of Tattnall  |
| Culbertson          | Kennedy             | Stovall            |
| Cureton             | Kidd                | Strong             |
| Dickson             | Kirby               | Stubbs of Thomas   |
| Drawdy              | Lewis               | Tarver             |
| Edwards             | Lord                | Tipping            |
| Elder               | Lovejoy             | Tracey             |
| Ellison             | Martin              | Turner             |
| English             | Meadows of Telfair  | Turnipseed         |
| Evans               | Meadows of Toombs   | Upshaw             |
| Fairecloth          | Middlebrooks        | Vinson             |
| Field of DeKalb     | Miller of Calhoun   | Waddell            |

|                  |                |                 |
|------------------|----------------|-----------------|
| Walter           | Whiteley       | Wood            |
| Watkins          | Wight of Grady | Woodliff        |
| White of Screven |                | Wright of Floyd |

Those voting in the negative were Messrs.:

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Anderson of Chatham | Henderson of Irwin | Pope             |
| Beacham             | Holtzclaw          | Reese            |
| Burch               | Hubbard            | Roberts          |
| Calbeck             | Johnson of Towns   | Rosser           |
| Couch               | Kelley             | Simmons          |
| Daniel              | Lawrence           | Smith of Gilmer  |
| Davis               | Moss               | Smith of Walton  |
| Ellis               | McArthur           | Stubbs of Putnam |
| Fullbright          | McElreath          | Tuggle           |
| Harvey              | Parker of Talbot   | Wohlwender       |
| Heard               | Pierce             |                  |

Those not voting were Messrs.:

|                    |                       |                   |
|--------------------|-----------------------|-------------------|
| Allen              | Pender                | Paulk             |
| Barksdale          | Garlington            | Peacock           |
| Bagley             | Johnson of Jeff Davis | Reaves            |
| Boyd               | Kicklighter           | Reid of Macon     |
| Brinson of Decatur | Littleton             | Wasden            |
| Brown of Fulton    | Mintz                 | Wright of Stewart |
| Cannon             | MacFarland            | Mr. Speaker       |
| Edmondson          | McMichael of Marion   |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the adoption of the resolution the ayes were 129; nays, 32.

The resolution having received the requisite Constitutional majority was passed.

The following resolution was read and lost:

By Mr. Johnson, of Bartow—

A resolution to set aside the appropriation measures now fixed as special orders.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instruct me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to regulate the application for marriage license.

A bill to provide for rotation of Judges of Superior Courts of this State.

A bill to take Bulloch county from the Middle Judicial Circuit and annex same to Atlantic Judicial Circuit.

Also the following bill of the House with the recommendation that same do pass by substitute as amended:

A bill to create a new Judicial Circuit to be known as the Toombs Circuit.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to permit special presentments and indictments to be amended.

A bill to prevent exorbitant attorneys fees.

A bill to amend Act to amend Section 388, Code 1895, so as to make a competent witness in certain cases.

A bill to change method of electing Judges of the Supreme Court and Court of Appeals.

A bill to require Supreme Court and Court of Appeals to consider all questions presented in bill of exceptions.

A bill to amend registration laws of this State.

A bill to amend primary election laws of this State.

Respectfully submitted,

JOS. H. HALL, Chairman.

Mr. Butt, Chairman of the Corporations Committee, submitted the following report:

*Mr. Speaker:*

Your Corporations Committee has had under consideration the following House and Senate Bills and instruct me as their Chairman to report the same back to the House with the following recommendations:

House Bill No. 998.—To create new charter for Baconton. Do pass.

House Bill No. 1,000.—To amend the charter of Grantville. Do pass.

House Bill No. 1,004.—To amend charter of Kite. Do pass.

House Bill No. 1,006.—To provide for the payment, by counties having population not less than 124,890, of actual costs incurred in Superior Courts and City Courts for the trial and conviction of misdemeanor convicts worked by said counties. Do pass.

House Bill No. 1,012.—To amend Act incorporating city of Commerce. Do pass.

House Bill No. 1,014.—To amend charter town of Kingston. Do pass.

Senate Bill No. 223.—To incorporate town of Alston. Do pass.

Senate Bill No. 247.—To amend the charter of Dalton. Do pass.

House Bill No. 155.—To amend Act incorporating town of Hapeville, Fulton county. Do pass.

BUTT, Chairman.

The next special orders for a third reading were as follows, to-wit:

By Mr. Vinson, of Baldwin—

A bill to appropriate money for the support and maintenance of the State Sanitarium for years 1910 and 1911.

An appropriation being involved the Speaker resolved the House into the Committee of the Whole and designated as Chairman Mr. McCrory, of Schley.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Alexander of DeKalb | Fender              | Meadows of Telfair |
| Alexander of Fulton | Field of DeKalb     | Middlebrooks       |
| Alley               | Fields of Crisp     | Miller of Calhoun  |
| Anderson of Bullock | Ford                | Milikin            |
| Anderson of Chatham | Fullbright          | Moore              |
| Armistead           | Garlington          | Nos                |
| Atherton            | Gastley             | MacFarland         |
| Atkinson            | Gillis              | MacIntyre          |
| Ault                | Godley              | McArthur           |
| Barksdale           | Graddick            | McCarthy           |
| Baker               | Griffin of Sumter   | McCrory            |
| Beacham             | Griffin of Twiggs   | McCurry            |
| Bell                | Guyton              | McCutchen          |
| Booker              | Hardman of Jackson  | McElreath          |
| Boyd                | Harrington          | McMahan            |
| Briason of Emanuel  | Harvey              | McMichael of Butts |
| Brown of Carroll    | Hatfield            | McWhorter          |
| Brown of Fulton     | Heard               | Olive              |
| Brown of Henry      | Henderson of Irwin  | Paulk              |
| Brown of Murray     | Henderson of Turner | Persons            |
| Burch               | Hendricks           | Pierce             |
| Butt                | Hill                | Porter             |
| Buxton              | Holtzelaw           | Proctor            |
| Cannon              | Howell              | Redding            |
| Carswell            | Hubbard             | Reese              |
| Childs              | Hullender           | Reid of Campbell   |
| Converse            | Huie                | Reid of Macon      |
| Cooke               | Johnson of Bartow   | Rentz              |
| Couch               | Joiner              | Sheppard           |
| Cowan               | Jones of Laurens    | Shirley            |
| Culberson           | Jones of Meriwether | Simmons            |
| Daniel              | Keith               | Simpson            |
| Davis               | Kendrick            | Slade              |
| Dickson             | Kennedy             | Smith of Walton    |
| Edwards             | Kirby               | Strong             |
| Elder               | Lawrence            | Stubbs of Putnam   |
| Ellis               | Lewis               | Stubbs of Thomas   |
| English             | Littleton           | Tarver             |
| Evans               | Lord                | Tippins            |
| Faireloth           | Martin              | Tracey             |



|            |                |            |
|------------|----------------|------------|
| Tuggle     | Vinson         | William    |
| Turner     | Watkins        | Wohlwender |
| Turnipseed | Whiteley       | Wood       |
| Upshaw     | Wight of Grady | Woodliff   |

Those voting in the negative were Messrs.:

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Adams              | Hall              | McConnell         |
| Berry              | Helms             | Parker of Decatur |
| Brinson of Decatur | Johnson of Towns  | Parker of Talbot  |
| Calbeck            | Jones of Mitchell | Pickett           |
| Carter             | Kelley            | Prica             |
| Chandler           | Kidd              | Roberts           |
| Cordell            | Lovejoy           | Rogers            |
| Crofton            | Meadows of Toombs | Stovall           |
| Drawdy             | Miller of Ware    | Walters           |

Those not voting were Messrs.:

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Allen                 | Kicklighter         | Smith of Tattnall |
| Bagley                | Minter              | Waddell           |
| Bailey                | Mitchell            | Warden            |
| Barrett               | McMichael of Marion | White of Screven  |
| Edmondson             | Peacock             | Wright of Floyd   |
| Ellison               | Pope                | Wright of Stewart |
| Hardeman of Jeff's n  | Reaves              | Mr. Speaker       |
| Holder of Floyd       | Rosser              |                   |
| Johnson of Jeff Davis | Smith of Gilmer     |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 13; nays, 27.

The bill having received the requisite Constitutional majority was passed.

On motion of Mr. Tarver, of Whitfield, the session of the House was extended for 10 minutes for the purpose of reading House Bills favorably reported a second time and reading reports of standing committees.

By Mr. Vinson, of Baldwin—

A bill to appropriate \$15,000 for the construction of a reservoir for the State Sanitarium.

An appropriation being involved the Speaker resolved the House into the Committee of the Whole, and designated as Chairman Mr. Edwards, of Walton.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do not pass.

The previous question was called and the main question ordered.

On agreeing to the report of the Committee the ayes and nays were ordered on motion of Mr. Ellis, of Bibb, and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |           |         |
|---------------------|-----------|---------|
| Adams               | Armistead | Bailey  |
| Alexander of DeKalb | Atherton  | Barrett |
| Alley               | Atkinson  | Beacham |
| Anderson of Chatham | Ault      | Bell    |

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Berry               | Hardman of Jackson  | McWhorter         |
| Brinson of Decatur  | Harrington          | Parker of Decatur |
| Brinson of Emanuel  | Hatfield            | Parker of Talbot  |
| Calbeck             | Heard               | Persons           |
| Cannon              | Helms               | Pickett           |
| Carter              | Henderson of Turner | Price             |
| Chandler            | Howell              | Redding           |
| Childs              | Hubbard             | Reid of Campbell  |
| Converse            | Hullender           | Reid of Macon     |
| Cordell             | Huie                | Rentz             |
| Couch               | Johnson of Bartow   | Rogers            |
| Cowan               | Johnson of Towns    | Rosser            |
| Cureton             | Joiner              | Shirley           |
| Daniel              | Jones of Laurens    | Simpson           |
| Davis               | Jones of Mitchell   | Smith of Gilmer   |
| Drawdy              | Kelley              | Stovall           |
| Elder               | Kendrick            | Strong            |
| Ellison             | Kicklighter         | Stubbs of Putnam  |
| Fairecloth          | Kidd                | Tippins           |
| Fender              | Kirby               | Tracey            |
| Field of DeKalb     | Lord                | Turnipseed        |
| Ford                | Martin              | Upshaw            |
| Fullbright          | Meadows of Telfair  | Waddell           |
| Gastley             | Meadows of Toombs   | Walters           |
| Gillis              | Miller of Ware      | White of Screven  |
| Graddick            | Milikin             | Whiteley          |
| Griffin of Sumter   | Moore               | Wight of Grady    |
| Hall                | McArthur            | Wood              |
| Hardeman of Jeffs'n | McConnell           |                   |

Those voting in the negative were Messrs.:

|                     |           |                    |
|---------------------|-----------|--------------------|
| Alexander of Fulton | Butt      | Fields of Crisp    |
| Anderson of Bullock | Buxton    | Garlington         |
| Barksdale           | Carswell  | Godley             |
| Baker               | Cooke     | Griffin of Twiggs  |
| Booker              | Culberson | Guyton             |
| Boyd                | Dickson   | Harvey             |
| Brown of Carroll    | Edwards   | Henderson of Irwi  |
| Brown of Henry      | Ellis     | Hill               |
| Brown of Murray     | English   | Jones of Meriwethe |
| Burch               | Evans     | Keith              |

|              |                    |                  |
|--------------|--------------------|------------------|
| Kennedy      | McElreath          | Smith of Walton  |
| Lewis        | McMahan            | Stubbs of Thomas |
| Littleton    | McMichael of Butts | Tarver           |
| Lovejoy      | Oliver             | Tuggle           |
| Middlebrooks | Pierce             | Turner           |
| Moss         | Porter             | Vinson           |
| MacIntyre    | Proctor            | Watkins          |
| McCarthy     | Reese              | William          |
| McCrory      | Simmons            | Wohlwender       |
| McCurry      | Slade              | Woodliff         |
| McCutchen    | Smith of Tatnall   | Wright of Floyd  |

Those not voting were Messrs.:

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Allen                 | Lawrence            | Pope              |
| Bagley                | Miller of Calhoun   | Reaves            |
| Brown of Fulton       | Minter              | Roberts           |
| Edmondson             | Mitchell            | Sheppard          |
| Hendricks             | MacFarland          | Wasden            |
| Holder of Floyd       | McMichael of Marion | Wright of Stewart |
| Holtzelaw             | Paulk               | Mr. Speaker       |
| Johnson of Jeff Davis | Peacock             |                   |

By unanimous consent the verification of the roll call was dispensed with.

On agreeing to the unfavorable report of the Committee the ayes were 98; nays, 62.

The unfavorable report of the Committee was therefore agreed to and the bill lost.

On motion of Mr. Anderson, of Chatham, House Bills Nos. 702, 703, 705, were tabled.

The next special order for a third reading was as follows:

By Mr. Boyd, of Spalding—

A bill to appropriate \$10,000 to the Georgia Experiment Station to enlarge its influence.

On motion of Mr. Anderson, of Chatham, the above bill was tabled.

By Messrs. McElreath, Brown and Alexander—

A bill to appropriate \$500 to re-imburse the Freundschaft-bund for locker tax.

On motion of Mr. Anderson, of Chatham, the above bill was tabled.

By Mr. Baker, of Lumpkin, et al—

A bill to appropriate \$15,000 for the purpose of building a new college building on the campus of the North Georgia Agricultural College.

Mr. Baker submitted a substitute which eliminated the appropriation which was adopted.

The favorable report of the Committee was agreed to by substitute

On the passage of the bill the ayes were 98; nays, 14.

The bill having received the requisite Constitutional majority was passed by substitute.

On motion of Mr. Baker, of Lumpkin, the bill just passed was ordered immediately transmitted to the Senate.

The following bills were read the first time, to-wit:

By Mr. Hall, of Bibb—

A bill to amend the charter of Macon.

Referred to Committee on Corporations.

By Mr. Tippins, of Appling—

A bill to amend Section 4312, Volume 2, of the Code.

Referred to Committee on General Judiciary.

By Messrs. Pierce, Littleton and Garlington—

A bill to provide for disposition of fines and forfeitures arising in Richmond county

Referred to Committee on Special Judiciary

By Mr. Fields, of Crisp—

A bill to repeal an Act to create the City Court of Cordele.

Referred to Committee on Special Judiciary

By Mr. Fields, of Crisp—

A bill to amend an Act to create the City Court of Cordele.

Referred to Committee on Special Judiciary.

Mr. McMichael, Chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education instructs me to report House Bill No. 973 do pass.

E. H. McMICHAEL, Chairman.

Mr. Hardman, Chairman of the Committee on Temperance, submitted the following report:

*Mr. Speaker:*

Your Committee on Temperance has had under consideration Senate Bill No. 207, and instructs me as their Chairman, to report same back to the House with a recommendation that it do pass.

Most respectfully submitted,

L. G. HARDMAN, Chairman.

The following bills were read the second time, to-wit:

By Messrs. Barksdale and Booker, of Wilkes—

A bill to create a new Judicial Circuit, etc.

By Mr. Pickett, of Terrell—

A bill to provide for the rotation of Judges of the Superior Courts.

By Mr. Jones, of Mitchell—

A bill to create a new charter for the town of Baconton.

By Messrs. Kirby and Couch, of Coweta—

A bill to amend the charter of Grantville.

By Mr. Faircloth, of Johnson—

A bill to amend the charter of the town of Kite.

By Messrs. Kirby and Couch, of Coweta county—

A bill to provide for the payment of costs incurred in misdemeanor cases in certain counties.



By Mr. Anderson, of Bullock—

A bill to detach Bullock from the Middle Judicial Circuit.

By Mr. Hardman, of Jackson—

A bill to amend an Act to incorporate the city of Commerce

By Mr. Johnson, of Bartow —

A bill to amend the charter of the town of Kingston.

By Mr. Henderson, of Irwin—

A bill to amend an Act to create a system of public schools for Ocilla.

The following Senate Bills were read the second time, to wit:

By Mr. Pitts, of 43rd District—

A bill to amend the several Acts to incorporate the city of Dalton.

By Mr. Calhoun, of 15th District—

A bill to incorporate the town of Alston.

By Mr. Day, of 41st District—

A bill to prohibit drinking intoxicating liquors on passenger trains.

Leave of absence was granted—

MR. ATHERTON, of Pickens—business.

MR. BELL, of Cherokee—business.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 O'CLOCK P. M.

The House re-convened at 3 o'clock p. m. this afternoon, and was called to order by the Speaker.

The roll was called and the following members answered to their names:

|                     |                    |           |
|---------------------|--------------------|-----------|
| Adams               | Baker              | Butt      |
| Alexander of DeKalb | Barrett            | Buxton    |
| Alexander of Fulton | Beacham            | Calbeck   |
| Allen               | Bell               | Cannon    |
| Alley               | Berry              | Carswell  |
| Anderson of Bullock | Booker             | Carter    |
| Anderson of Chatham | Boyd               | Chandler  |
| Armistead           | Brinson of Decatur | Childs    |
| Atherton            | Brinson of Emanuel | Converse  |
| Atkinson            | Brown of Carroll   | Cooke     |
| Auli                | Brown of Fulton    | Cordell   |
| Barksdale           | Brown of Henry     | Couch     |
| Bagley              | Brown of Murray    | Cowan     |
| Bailey              | Burch              | Culberson |

|                      |                       |                   |
|----------------------|-----------------------|-------------------|
| Cureton              | Huie                  | Oliver            |
| Daniel               | Johnson of Bartow     | Parker of Decatur |
| Davis                | Johnson of Jeff Davis | Parker of Talbot  |
| Dickson              | Johnson of Towns      | Paulk             |
| Drawdy               | Joiner                | Peacock           |
| Edmondson            | Jones of Laurens      | Persons           |
| Edwards              | Jones of Meriwether   | Pierce            |
| Elder                | Jones of Mitchell     | Popa              |
| Ellis                | Keith                 | Porter            |
| Ellison              | Kelley                | Prica             |
| English              | Kendrick              | Proctor           |
| Evans                | Kennedy               | Reaves            |
| Faireloth            | Kicklighter           | Redding           |
| Fender               | Kidd                  | Reese             |
| Field of DeKalb      | Kirby                 | Reid of Campbell  |
| Fields of Crisp      | Lawrence              | Reid of Macon     |
| Ford                 | Littleton             | Rentz             |
| Fullbright           | Lewis                 | Roberts           |
| Garlington           | Lord                  | Rogers            |
| Gastley              | Lovejoy               | Rosse             |
| Gillis               | Martin                | Sheppard          |
| Godley               | Meadows of Telfair    | Shirley           |
| Graddick             | Meadows of Toombs     | Simmons           |
| Griffin of Sumter    | Middlebrooks          | Simpson           |
| Griffin of Twiggs    | Miller of Calhoun     | Sladt             |
| Guyton               | Miller of Ware        | Smith of Gilmer   |
| Hall                 | Milikin               | Smith of Tattnall |
| Hardeman of Jeff's n | Mitchell              | Smith of Walton   |
| Hardman of Jackson   | Moore                 | Stovall           |
| Harrington           | Moss                  | Strong            |
| Harvey               | MacFarland            | Stubbs of Putnam  |
| Hatfield             | MacIntyre             | Stubbs of Thomas  |
| Heard                | McArthur              | Tarver            |
| Helms                | McCarthy              | Tippins           |
| Henderson of Irwin   | McConnell             | Tracey            |
| Henderson of Turner  | McCrory               | Tuggle            |
| Hendricks            | McCurry               | Turner            |
| Hill                 | McCutchen             | Turnipseed        |
| Holder of Floyd      | McElreath             | Upshaw            |
| Holtzelaw            | McMahan               | Vinson            |
| Howell               | McMichael of Butts    | Waddell           |
| Hubbard              | McMichael of Marion   | Walters           |
| Hullender            | McWhorter             | Wasden            |

|                  |            |                   |
|------------------|------------|-------------------|
| Watkins          | William    | Wright of Floyd   |
| White of Screven | Wohlwender | Wright of Stewart |
| Whiteley         | Wood       | Mr. Speaker       |
| Wight of Grady   | Woodliff   |                   |

Mr. Minter was absent.

By unanimous consent Senate Bill No. 12 was taken from the table and placed on the Calendar.

The following resolution was read and adopted, to-wit:

By Mr. Allen, of Upson—

A resolution thanking Hon. Julian B. McCurry for peaches.

The following resolution was read, to-wit:

By Mr. Field, of DeKalb—

A resolution to make House Bill 839 a special order.

Referred to Committee on Rules.

Mr. Stubbs, Chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and

find correct, duly signed and ready for delivery to the Governor the following Act, to-wit:

An Act to incorporate the town of Lilburn.

Respectfully submitted,

STUBBS, Chairman.

The following special orders were taken up for a third reading, to-wit:

By Mr. Jones, of Meriwether—

A bill to amend the appropriation Act so as to provide for a salary for the State Bank examiner.

An appropriation being involved the Speaker resolved the House into the Committee of the Whole, and designated as Chairman Mr. McCurry, of Hart.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Adams               | Fullbright          | McCarthy            |
| Alexander of DeKalb | Garlington          | McConnell           |
| Alexander of Fulton | Gastley             | McCrory             |
| Allen               | Gillis              | McCurry             |
| Alley               | Godley              | McCutchen           |
| Anderson of Chatham | Griffin of Sumter   | McElreath           |
| Armistead           | Guyton              | McMahan             |
| Atherton            | Hall                | McMichael of Marion |
| Atkinson            | Hardeman of Jeffs'n | McWhorter           |
| Ault                | Hardman of Jackson  | Oliver              |
| Barksdale           | Harrington          | Parker of Decatur   |
| Bagley              | Harvey              | Parker of Talbot    |
| Baker               | Hatfield            | Paulk               |
| Barrett             | Heard               | Peacock             |
| Beacham             | Henderson of Irwin  | Pope                |
| Bell                | Henderson of Turner | Porter              |
| Berry               | Hill                | Proctor             |
| Booker              | Holder of Floyd     | Redding             |
| Brinson of Emanuel  | Holtzclaw           | Reese               |
| Brown of Murray     | Howell              | Reid of Campbell    |
| Butt                | Hubbard             | Roberts             |
| Buxton              | Hullender           | Rogers              |
| Calbeck             | Huie                | Shirley             |
| Cannon              | Johnson of Towns    | Simmons             |
| Carswell            | Joiner              | Simpson             |
| Carter              | Jones of Laurens    | Slade               |
| Chandler            | Kelley              | Smith of Gilmer     |
| Converse            | Kennedy             | Smith of Tattnall   |
| Cooke               | Kidd                | Smith of Walton     |
| Cordell             | Kirby               | Stovall             |
| Cowan               | Lewis               | Strong              |
| Culberson           | Littleton           | Stubbs of Thomas    |
| Dickson             | Lord                | Tarver              |
| Drawdy              | Lovejoy             | Tippins             |
| Edwards             | Meadows of Telfair  | Turnipseed          |
| Elder               | Meadows of Toombs   | Upshaw              |
| Ellison             | Middlebrooks        | Vinson              |
| English             | Miller of Ware      | Waddell             |
| Fender              | Moore               | Walters             |
| Field of DeKalb     | Most                | Wasden              |
| Ford                | MacIntyre           | Watkins             |

|                  |            |          |
|------------------|------------|----------|
| White of Screven | Williams   | Wood     |
| Whiteley         | Wohlwender | Woodliff |
| Wight of Grady   |            |          |

Those not voting were Messrs.:

|                     |                       |                    |
|---------------------|-----------------------|--------------------|
| Anderson of Bullock | Graddick              | McArthur           |
| Bailey              | Griffin of Twiggs     | McMichael of Butts |
| Boyd                | Helms                 | Persons            |
| Brinson of Decatur  | Hendricks             | Pickett            |
| Brown of Carroll    | Johnson of Bartow     | Pierce             |
| Brown of Fulton     | Johnson of Jeff Davis | Prieo              |
| Brown of Henry      | Jones of Meriwether   | Reaves             |
| Burch               | Jones of Mitchell     | Reid of Macon      |
| Childs              | Keith                 | Rentz              |
| Couch               | Kendrick              | Rosser             |
| Cureton             | Kicklighter           | Sheppard           |
| Daniel              | Lawrence              | Stubbs of Putnam   |
| Davis               | Martin                | Tracey             |
| Edmondson           | Miller of Calhoun     | Tuggle             |
| Ellis               | Milikin               | Turner             |
| Evans               | Minter                | Wright of Floyd    |
| Faireloth           | Mitchell              | Wright of Stewart  |
| Fields of Crisp     | MacFarland            | Mr. Speaker        |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 129; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Henderson, of Irwin, and others -

A bill to appropriate \$10,000 to the State Board of Entomology for experimental purposes.

An appropriation being involved the Speaker resolved the House into the Committee of the Whole and designated as Chairman Mr. Porter, of Floyd.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended.

The following amendments proposed by the Committee were adopted, to-wit:

To amend caption by striking "1910."

To amend by striking "1910" in line 4, Section 1.

The report of the Committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Alexander of DeKalb | Booker             | Cordell         |
| Alexander of Fulton | Brinson of Emanuel | Couch           |
| Allen               | Brown of Carroll   | Culberson       |
| Anderson of Chatham | Brown of Fulton    | Davis           |
| Armistead           | Brown of Henry     | Dickson         |
| Atherton            | Brown of Murray    | Drawdy          |
| Atkinson            | Butt               | Edwards         |
| Ault                | Buxton             | Ellison         |
| Barksdale           | Carswell           | Faireloth       |
| Baker               | Childs             | Field of DeKalb |
| Barrett             | Converso           | Fields of Crisp |
| Beacham             | Cooke              | Ford            |



|                      |                     |                   |
|----------------------|---------------------|-------------------|
| Pullbright           | Littleton           | Redding           |
| Garlington           | Lord                | Reese             |
| Gillis               | Lovejoy             | Reid of Campbell  |
| Graddick             | Martin              | Roberts           |
| Griffin of Sumter    | Meadows of Telfair  | Rogers            |
| Guyton               | Meadows of Toombs   | Stade             |
| Hardeman of Jeff's'n | Middlebrooks        | Smith of Gilmer   |
| Hardman of Jackson   | Miller of Calhoun   | Smith of Tattnall |
| Harrington           | Miller of Ware      | Smith of Walton   |
| Harvey               | Milikin             | Stovall           |
| Hatfield             | Moore               | Stubbs of Thomas  |
| Heard                | Moss                | Tarver            |
| Helms                | Macintyre           | Tippins           |
| Henderson of Irwin   | McCarthy            | Tracey            |
| Henderson of Turner  | McCrory             | Tuggle            |
| Hendricks            | McCurry             | Turner            |
| Hill                 | McElreath           | Turnipseed        |
| Holtzelaw            | McMahan             | Upshaw            |
| Hubbard              | McMichael of Marion | Vinson            |
| Iluie                | McWhorter           | Walters           |
| Johnson of Bartow    | Oliver              | Warden            |
| Joiner               | Parker of Decatur   | Watkins           |
| Jones of Laurens     | Parker of Talbot    | White of Screven  |
| Jones of Meriwether  | Paulk               | Whiteley          |
| Kendrick             | Peacock             | Wight of Grady    |
| Kennedy              | Persons             | Williams          |
| Kidd                 | Pierce              | Wohlwender        |
| Kirby                | Pope                | Wood              |
| Lawrence             | Porter              | Woodliff          |
| Lewis                | Proctor             |                   |

Those voting in the negative were Messrs.:

|                    |         |                  |
|--------------------|---------|------------------|
| Adams              | Cowan   | Johnson of Towns |
| Alley              | Daniel  | Kelley           |
| Berry              | Elder   | Prica            |
| Brinson of Decatur | English | Shirley          |
| Calbeck            | Gastley | Waddell          |
| Carter             | Godley  |                  |
| Chandler           | Howell  |                  |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Anderson of Bullock | Holder of Floyd       | Reaves            |
| Bagley              | Hullender             | Reid of Macon     |
| Bailey              | Johnson of Jeff Davis | Rentz             |
| Bell                | Jones of Mitchell     | Rosser            |
| Boyd                | Keith                 | Sheppard          |
| Burch               | Kicklighter           | Simmons           |
| Cannon              | Minter                | Simpson           |
| Cureton             | Mitchell              | Strong            |
| Edmondson           | MacFarland            | Stubbs of Putnam  |
| Ellis               | McArthur              | Wright of Floyd   |
| Evans               | McConnell             | Wright of Stewart |
| Fender              | McCutchen             | Mr. Speaker       |
| Gritfin of Twiggs   | McMichael of Butts    |                   |
| Hall                | Pickett               |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 125; nays, 19.

The bill having received the requisite Constitutional majority was passed as amended.

The Speaker then announced the House adjourned until 9:30 o'clock to-morrow morning.

ATLANTA, GEORGIA,

WEDNESDAY, JULY, 27, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m. this day; was called to order by the Speaker, and opened with prayer by Dr. Persons.

The roll was called and the following members answered to their names:

|                     |           |                       |
|---------------------|-----------|-----------------------|
| Adams               | Burch     | Faireloth             |
| Alexander of DeKalb | Butt      | Fender                |
| Alexander of Fulton | Buxton    | Field of DeKalb       |
| Allen               | Calbeck   | Fields of Crisp       |
| Alley               | Cannon    | Ford                  |
| Anderson of Bullock | Carswell  | Fullbright            |
| Anderson of Chatham | Carter    | Garlington            |
| Armistead           | Chandler  | Gastley               |
| Atherton            | Childs    | Gillis                |
| Atkinson            | Converso  | Godley                |
| Aul;                | Cooke     | Graddick              |
| Barksdale           | Cordell   | Griffin of Sumter     |
| Bagley              | Couch     | Griffin of Twiggs     |
| Bailey              | Cowan     | Guyton                |
| Baker               | Culberson | Hall                  |
| Barrett             | Cureton   | Hardeman of Jefferson |
| Beacham             | Daniel    | Hardman of Jackson    |
| Bell                | Davis     | Harrington            |
| Berry               | Dickson   | Harvey                |
| Booker              | Drawdy    | Hatfield              |
| Boyd                | Edmondson | Heard                 |
| Brinson of Decatur  | Edwards   | Helms                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin    |
| Brown of Carroll    | Ellis     | Henderson of Turner   |
| Brown of Fulton     | Ellison   | Hendricks             |
| Brown of Henry      | English   | Hill                  |
| Brown of Murray     | Evans     | Holder of Floyd       |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzclaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnall |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Oliver              | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Pierce              | Waddell           |
| Littleton             | Popa                | Walters           |
| Lord                  | Porter              | Wasden            |
| Lovejoy               | Price               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | Williams          |
| Miller of Calhoun     | Reid of Campbell    | Wohlwend          |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Roberts             | Wright of Floyd   |
| Moore                 | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following resolution was read and adopted, to-wit:

By Mr. Lawrence, of Chatham—

A resolution to authorize the State Librarian to furnish Georgia Reports to certain City Courts.

By unanimous consent Mr. Turnipseed, of Clay, was allowed to withdraw House Bill No. 999.

By unanimous consent the following Senate Bill was read the third time and put upon its passage, to-wit:

By Mr. McCurry, of 31st District—

A bill to change the time of holding the Superior Court of Hart county

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 27; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Mr. Culberson, of Lincoln—

A bill to amend Section 4147 of the Code of 1895, with reference to the compensation of jurors.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 85; nays, 23.

The bill having failed to receive the requisite Constitutional majority was lost.

The following bill was taken up by unanimous consent and put upon its passage, to-wit:

By Mr. Alexander, of DeKalb—

A bill to dispense with recording on Superior Court execution dockets of executions issuing from other courts, etc.

The substitute offered by Mr. Alexander, of DeKalb, was adopted.

The favorable report of the Committee was agreed to by substitute.

On the passage of the bill the ayes were 97; nays, 0.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Fullbright, of Burke—

A bill to provide for the purchase of Georgia Reports, Volumes 35 to 65, from the Michie Company, of Charlottesville, Va.

The substitute prepared by the Committee was adopted.

The favorable report of the Committee was agreed to by substitute.

On the passage of the bill the ayes were 105; nays, 0.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Johnson, of Bartow—

A bill to amend the charter of the town of Kingston.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite Constitutional majority the following bill of the House, to-wit:

A bill to amend Section 5182 of the Code of Georgia, of 1895, by inserting the words "farmer, dairyman and planter" after the word blacksmith.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to provide for State and County Boards of Tax Returns, and for other purposes.

A bill to amend the Constitution of Georgia by making the salary of the State School Commissioner \$3,000.00 per annum.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Rogers, of Randolph—

A resolution to pay pension due A. H. Harrison.

Referred to Committee on Pensions.



By Mr. Hatfield, of Coffee—

A bill to amend an Act to create a new charter for the town of Willacoochee.

Referred to Committee on Corporations.

By Mr. McCutchen, of Heard—

A bill to fix a salary for the Treasurer of Heard county.

Referred to Committee on Counties and County Matters.

By Mr. Butt, of Fannin, et al—

A resolution inquiring of the Comptroller General the facts in the case of the claim of S. M. Douthit.

Lie on table one day

By Mr. Henderson, of Irwin—

A bill to create Board of County Commissioners for Irwin county

Referred to Committee on Counties and County Matters.

By Mr. Gastley, of Habersham—

A bill to amend all Acts to incorporate the town of Cornelia.

Referred to Committee on Corporations.

By Mr. Burch, of Laurens—

A bill to create a new charter for the city of Dublin.

Referred to Committee on Corporations.

By Mr. Huie, of Clayton—

A bill to amend the charter of the town of Riverdale.

Referred to Committee on Corporations.

Mr. Johnson, of Bartow, by unanimous consent was allowed to withdraw his notice of re-consideration on House Bill No. —.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. Speaker:*

Your Committee on Constitutional Amendments has had under consideration the following bills and

have authorized me as its Chairman to report the same back to the House with the following recommendation:

House Bill No. 1,009.—Do not pass.

House Bill No. 97 —Do pass as amended.

House Bill No. 171.—Do not pass.

PERSONS, Chairman.

July 27th, 1910.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters having considered the following bills, make report, to-wit:

That,

Senate Bill No. 47.—To relieve sureties on bond. Do pass.

House Bill No. 935.—To require Telfair county officers to give surety bond. Do pass.

House Bill No. 995.—To amend Carroll County Commissioners. Do pass.

House Bill No. 1,011.—To fix salary of Murray county Treasurer. Do pass.

Respectfully submitted,

MACINTYRE, Chairman.

Mr. Barrett, Chairman of the Committee on Penitentiary, submitted the following report:

*Mr. Speaker:*

Your Committee on Penitentiary has had under consideration House Bill No. 754, a bill to require the Prison Commission and Governor to give certain notices of the pendency of application for pardon, commutation of sentence and parole, and directs me as Chairman, to report the same with the recommendation that the same pass by substitute.

FERMOR BARRETT, Chairman.

Mr. Fullbright, Chairman Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills, and instruct me to report them as follows:

House Bill No. 975.—To abolish the City Court of Leesburg. Do pass.

House Bill No. 920.—To amend City Court of Savannah. Do pass as amended.

House Bill No. 622. That author be allowed to withdraw in House.

House Bill No. 623.—To establish City Court of Cordele. Do not pass.

House Bill No. 1,027.—To abolish City Court of Cordele. Do pass.

House Bill No. 1,028.—To amend City Court of Cordele. Do not pass.

House Bill No. 976.—To establish City Court of Barnesville. Do pass.

House Bill No. 1,020.—To amend the Act to create City Court of Calhoun. Do pass.

House Bill No. 1,021.—To repeal Act to increase Board of Commissioners of Calhoun county. Do pass.

House Bill No. 1,023.—To amend City Court Act of McRae. Do pass.

House Bill No. 989.—To amend County Court Law. Do pass.

Senate Bill No. 206.—To provide for a drainage system in certain counties. Do pass.

Senate Bill No. 208.—Do pass by substitute.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Allen, Chairman of the Committee on Public Library, submitted the following report:

*Mr. Speaker:*

Your Committee on Public Library had under consideration Senate Resolution No. 26, and instruct me as their Chairman, to report same back to the House with recommendation same do pass, as amended.

Also,

Senate Bill No. 70. Do not pass.

Also,

House Resolution No. 32. Do not pass.

Respectfully submitted,

W. Y. ALLEN, Chairman.

Mr. Parker, Chairman of the Committee on Railroads, submitted the following report:

*Mr. Speaker:*

Your Committee on Railroads has had under consideration Senate Bill No. 228, which they instruct me to report back to the House with the recommendation that it do pass.

Respectfully submitted,

W. M. PARKER, Chairman.

Mr. Hardman, of Jackson, Chairman of Committee on Temperance, submitted the following report:

*Mr. Speaker:*

Your Committee on Temperance have had under consideration the following bill of the House and instructed me as their Chairman, to report same back to the House with the recommendation that same do not pass, to-wit:

A bill to make it a misdemeanor to furnish tobacco to minors.

Mr. Williams, Chairman of the Committee on Special Agriculture, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Agriculture beg leave to submit the following report:

House Bill No. 887 do not pass.

WILLIAMS, Chairman.

On motion of Mr. Alley, of White, the House re-considered its action in refusing to pass House Bill No. 383, which was up for passage on July 26.

On motion of the author House Bill No. 820 was re-committed to the Special Judiciary Committee.

Mr. Culberson gave notice that at the proper time he would move to re-consider the action of the House in refusing to pass House Bill No. 800.

By unanimous consent the session was extended for the purpose of reading House and Senate Bills a first and second time.

By unanimous consent the following bill was read the third time and put upon its passage, to-wit:

By Messrs. Faircloth, of Johnson, Lewis, of Hancock—

A bill to amend Section 574, Volume 1, of the Code 1895, relative to the alternative road law.

The following amendments were adopted:

To amend caption by inserting after the word "21" the words and by striking the word "50c" in said Section and inserting words "\$1.00."



To amend Section 1 by striking “50c” in last line and inserting “\$1.00.”

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 97; nays, 23.

The bill having received the requisite Constitutional majority was passed as amended.

The following special orders were taken up, read the third time and put upon their passage, to-wit:

By Messrs. Hardman, of Jackson, Brown, of Fulton—

A bill to appropriate additional funds for the completion of State Sanitarium for treatment of tuberculosis.

An appropriation being involved the Speaker resolved the House into the Committee of the Whole, and designated as Chairman Mr. Hall, of Bibb.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended.

The following Committee amendments were adopted.

To amend by striking all of Section 2, and inserting in lieu thereof the following: "Section 2. Be it further enacted that the sum of \$20,000 be, and the same is hereby appropriated for the maintenance of said Institution for the year 1911, and the Governor is authorized and directed to draw his warrant for same out of any funds not otherwise appropriated."

Also,

To amend by adding another Section which shall be known as Section 3, and to read as follows: "Section 3. The Trustees of the above named Institution shall advertise for bids weekly in four issues of a daily paper in Atlanta, for the completion of the buildings, equipment and grounds of the Sanitarium for the treatment of tuberculosis, at Alto, Ga., and after receiving said bids, shall submit the same to the Governor of this State, together with the detailed plans and specifications of the buildings, equipments and grounds, for his approval or disapproval. Before the monies herein appropriated for the completion of said buildings, equipments and grounds shall be paid out, the Trustees and Architect shall submit to the Governor of this State, the progress of the work, and no amount shall be paid out until such report and approval is made by the Trustees and Architect and has been submitted to the Governor, who shall then draw his warrant for same."

The report of the Committee, which was favorable to the passage of the bill as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Alexander of DeKalb | Evans                 | Littleton           |
| Alexander of Fulton | Fairecloth            | Lord                |
| Allen               | Fender                | Meadows of Telfair  |
| Alley               | Field of DeKalb       | Meadows of Toombs   |
| Anderson of Bullock | Fields of Crisp       | Middlebrooks        |
| Anderson of Chatham | Ford                  | Miller of Calhoun   |
| Armistead           | Garlington            | Miller of Ware      |
| Atherton            | Gastley               | Milikin             |
| Atkinson            | Gillis                | Mitchell            |
| Aul                 | Graddick              | Moore               |
| Barksdale           | Griffin of Sumter     | Moss                |
| Baker               | Griffin of Twiggs     | MacFarland          |
| Barrett             | Guyton                | MacIntyre           |
| Booker              | Hall                  | McCarthy            |
| Boyd                | Hardeman of Jeffs'n   | McCrory             |
| Brinson of Emanuel  | Hardman of Jackson    | McCurry             |
| Brown of Carroll    | Harrington            | McCutchen           |
| Brown of Fulton     | Hatfield              | McElreath           |
| Brown of Henry      | Helms                 | McMahan             |
| Burch               | Henderson of Irwin    | McMichael of Butts  |
| Butt                | Henderson of Turner   | McMichael of Marion |
| Buxton              | Hendricks             | McWhorter           |
| Calbeck             | Holder of Floyd       | Oliver              |
| Cannon              | Holtzelaw             | Parker of Talbot    |
| Carswell            | Howell                | Paulk               |
| Carter              | Hubbard               | Peacock             |
| Converse            | Hullender             | Persons             |
| Cooke               | Huie                  | Pickett             |
| Cordell             | Johnson of Jeff Davis | Pierce              |
| Couch               | Johnson of Towns      | Poppe               |
| Culbertson          | Jones of Laurens      | Porter              |
| Davis               | Jones of Meriwether   | Price               |
| Dickson             | Jones of Mitchell     | Redding             |
| Drawdy              | Kennedy               | Reese               |
| Edmondson           | Kirby                 | Reid of Macon       |
| Edwards             | Lawrence              | Rogers              |
| Elder               | Lewis                 | Shirley             |

|                   |            |                 |
|-------------------|------------|-----------------|
| Slade             | Tippins    | Wight of Grady  |
| Smith of Gilmer   | Turnipseed | Williams        |
| Smith of Tattnall | Upshaw     | Wohlwender      |
| Smith of Walton   | Vinson     | Wood            |
| Stovall           | Waddell    | Woodliff        |
| Strong            | Walters    | Wright of Floyd |
| Stubbs of Thomas  | Wasden     |                 |
| Tarver            | Watkins    |                 |

Those voting in the negative were Messrs.:

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Adams              | English           | Martin            |
| Beacham            | Godley            | McArthur          |
| Bell               | Heard             | McConnell         |
| Berry              | Johnson of Bartow | Parker of Decatur |
| Brinson of Decatur | Keith             | Proctor           |
| Chandler           | Kelley            | Reaves            |
| Childs             | Kendrick          | Reid of Campbell  |
| Cureton            | Kicklighter       | Rentz             |
| Daniel             | Kidd              | Whiteley          |

Those not voting were Messrs.:

|                 |          |                   |
|-----------------|----------|-------------------|
| Bagley          | Hill     | Simpson           |
| Bailey          | Joiner   | Stubbs of Putnam  |
| Brown of Murray | Lovejoy  | Tracey            |
| Cowan           | Minter   | Tuggle            |
| Ellis           | Roberts  | Turner            |
| Ellison         | Roscoe   | White of Screven  |
| Fullbright      | Sheppard | Wright of Stewart |
| Harvey          | Simmons  | Mr. Speaker       |

The roll call was verified, and on counting the votes it was found that the ayes were 132; nays, 27.

The bill having received the requisite Constitutional majority was passed as amended.

The following resolutions were read, to-wit:

By Mr. Whiteley, of Glascock, et al—

A resolution to make House Bill No. 398 a special order.

Referred to Committee on Rules.

By Mr. Wohlwender, of Muscogee—

A resolution to make House Bill No. 296 a special order.

Referred to Committee on Rules.

Mr. McCrory, of Schley, gave notice that at the proper time he would move to re-consider the action of the House in passing House Bill No. 794.

The next special order for third reading was as follows:

By Mr. Jones, of Meriwether—

A bill to appropriate money to supply deficiency in the Public Building Funds.

An appropriation being involved the Speaker resolved the House into the Committee of the Whole, and designated as Chairman Mr. Kidd, of Baker.

After a consideration of the bill the Committee arose and through its Chairman reported the same

back with the recommendation that it do pass by substitute.

The substitute proposed by the Committee was adopted.

The report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                 |                     |
|---------------------|-----------------|---------------------|
| Adams               | Carswell        | Graddick            |
| Alexander of DeKalb | Chandler        | Griffin of Twiggs   |
| Alexander of Fulton | Childs          | Guyton              |
| Allen               | Converse        | Hall                |
| Alley               | Cooke           | Hardman of Jackson  |
| Anderson of Bullock | Cordell         | Harrington          |
| Anderson of Chatham | Culberson       | Harvey              |
| Armistead           | Cureton         | Hatfield            |
| Atherton            | Daniel          | Heard               |
| Aul;                | Davis           | Helms               |
| Barksdale           | Dickson         | Henderson of Turner |
| Baker               | Drawdy          | Hendricks           |
| Barrett             | Edmondson       | Hill                |
| Beacham             | Edwards         | Holder of Floyd     |
| Bell                | Elder           | Holtzelaw           |
| Booker              | English         | Howell              |
| Brinson of Decatur  | Evans           | Hubbard             |
| Brinson of Emanuel  | Fairecloth      | Hullender           |
| Brown of Carroll    | Fender          | Huie                |
| Brown of Fulton     | Field of DeKalb | Johnson of Bartow   |
| Brown of Henry      | Ford            | Johnson of Towns    |
| Brown of Murray     | Fullbright      | Joiner              |
| Burch               | Garlington      | Jones of Laurens    |
| Buxton              | Gastley         | Jones of Meriwether |
| Calbeck             | Gillis          | Jones of Mitchell   |
| Cannon              | Godley          | Keith               |

|                    |                    |                  |
|--------------------|--------------------|------------------|
| Kelley             | McCutchen          | Smith of Walton  |
| Kendrick           | McElreath          | Stovall          |
| Kennedy            | McMahan            | Stubbs of Putnam |
| Kidd               | McMichael of Butts | Stubbs of Thomas |
| Kirby              | McWhorter          | Tarver           |
| Lewis              | Oliver             | Tippins          |
| Littleton          | Parker of Talbot   | Tracey           |
| Lord               | Popo               | Turner           |
| Martin             | Porter             | Turnipseed       |
| Meadows of Telfair | Price              | Upshaw           |
| Meadows of Toombs  | Proctor            | Vinson           |
| Middlebrooks       | Reaves             | Waddell          |
| Miller of Calhoun  | Redding            | Walters          |
| Miller of Ware     | Reese              | Wasden           |
| Milikin            | Reid of Campbell   | Watkins          |
| Mitchell           | Reid of Macon      | Whiteley         |
| Moore              | Rentz              | Wight of Grady   |
| MacFarland         | Rogers             | Wohlwender       |
| MacIntyre          | Shirley            | Wood             |
| McArthur           | Simpson            | Woodliff         |
| McConnell          | Slade              |                  |
| McCrory            | Smith of Gilmer    |                  |

Mr. Berry voted in the negative.

Those not voting were Messrs.:

|                      |                       |                   |
|----------------------|-----------------------|-------------------|
| Atkinson             | Johnson of Jeff Davis | Pierce            |
| Bagley               | Kicklighter           | Roberts           |
| Bailey               | Lawrence              | Rosser            |
| Boyd                 | Lovejoy               | Sheppard          |
| Butt                 | Minter                | Simmons           |
| Carter               | Moss                  | Smith of Tattnall |
| Couch                | McCarthy              | Strong            |
| Cowan                | McCurry               | Tuggle            |
| Ellis                | McMichael of Marion   | White of Screven  |
| Ellison              | Parker of Decatur     | William           |
| Fields of Crisp      | Paulk                 | Wright of Floyd   |
| Giffin of Sumter     | Peacock               | Wright of Stewart |
| Hardeman of Jeff's'n | Persons               | Mr. Speaker       |
| Henderson of Irwin   | Pickett               |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 142; nays, 1.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Huie, of Clayton—

A bill to amend Paragraph 1, Section 2, Article 3, of the Constitution, so as to increase the number of Senatorial Districts.

A motion to table the bill was made, and on that motion Mr. Hall, of Bibb, called for the ayes and nays. The motion was sustained.

Those voting in the affirmative were Messrs.:

|                     |            |                    |
|---------------------|------------|--------------------|
| Alexander of Fulton | Buxton     | Gastley            |
| Allen               | Calbeck    | Hardman of Jackson |
| Alley               | Cannon     | Heard              |
| Armistead           | Carswell   | Helms              |
| Aul:                | Chandler   | Hill               |
| Baker:              | Childs     | Holtzelaw          |
| Barrett             | Cooks      | Hubbard            |
| Beacham             | Cureton    | Hullender          |
| Bell                | Daniel     | Johnson of Towns   |
| Berry               | Drawdy     | Joiner             |
| Brinson of Decatur  | Edmondson  | Keith              |
| Brinson of Emanuel  | Edwards    | Kelley             |
| Brown of Carroll    | Elder      | Kendrick           |
| Brown of Henry      | English    | Kennedy            |
| Brown of Murray     | Fullbright | Kidd               |



|                    |                   |            |
|--------------------|-------------------|------------|
| Kirby              | Proctor           | Turner     |
| Lewia              | Reaves            | Turnipseed |
| Lord               | Reid of Macon     | Upshaw     |
| Martin             | Shirley           | Vinson     |
| Miller of Calhoun  | Simmons           | Waddell    |
| Miller of Ware     | Simpson           | Watkins    |
| Moore              | Smith of Tattnall | Williams   |
| McConnell          | Smith of Walton   | Wood       |
| McCutchen          | Stubbs of Putnam  | Woodliff   |
| McMichael of Butts | Tarver            |            |
| McWhorter          | Tracey            |            |

Those voting in the negative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Hall                  | McCurry             |
| Alexander of DeKalb | Hardeman of Jeff's'n  | McElreath           |
| Anderson of Bullock | Harrington            | McMichael of Marion |
| Anderson of Chatham | Harvey                | Parker of Talbot    |
| Atherton            | Hatfield              | Paulk               |
| Barksdale           | Henderson of Irwin    | Peacock             |
| Booker              | Henderson of Turner   | Persons             |
| Boyd                | Hendricks             | Pickett             |
| Burch               | Howell                | Pierce              |
| Butt                | Huie                  | Popo                |
| Carter              | Johnson of Bartow     | Porter              |
| Converse            | Johnson of Jeff Davis | Price               |
| Cordell             | Jones of Laurens      | Redding             |
| Couch               | Jones of Meriwether   | Reese               |
| Culberson           | Jones of Mitchell     | Reid of Campbell    |
| Davis               | Lawrence              | Rentz               |
| Dickson             | Littleton             | Rogers              |
| Faircloth           | Meadows of Telfair    | Slade               |
| Fender              | Meadows of Toombs     | Stovall             |
| Field of DeKalb     | Middlebrooks          | Strong              |
| Fields of Crisp     | Milikin               | Stubbs of Thomas    |
| Ford                | Mitchell              | Tippins             |
| Garlington          | Moss                  | Walters             |
| Gillis              | MacFarland            | Wasden              |
| Godley              | Macintyre             | Whiteley            |
| Graddick            | McArthur              | Wight of Grady      |
| Griffin of Sumter   | McCarthy              | Wohlwend            |
| Guyton              | McCrory               | Wright of Floyd     |

Those not voting were Messrs:

|                 |                   |                   |
|-----------------|-------------------|-------------------|
| Atkinson        | Griffin of Twiggs | Roberts           |
| Bagley          | Holder of Floyd   | Rosser            |
| Bailey          | Kiecklighter      | Sheppard          |
| Brown of Fulton | Lovejoy           | Smith of Gilmer   |
| Cowan           | Minter            | Tuggle            |
| Ellis           | McMahan           | White of Screven  |
| Ellison         | Olive             | Wright of Stewart |
| Evans           | Parker of Decatur | Mr. Speaker       |

The roll call was verified and on counting the votes it was found that the ayes were 76; nays, 84.

The motion to table was therefore lost.

Mr. Hall, of Bibb, moved to adjourn, which motion prevailed, and the business for which the session was extended was taken.

The following bills were read the first time, to-wit:

By Mr. Fields, of Crisp—

A bill to hold four terms of the Superior Courts of Crisp county

Referred to Committee on General Judiciary

By Mr. Reid, of Macon—

A bill to amend Act to incorporate the town of Oglethorpe.

Referred to Committee on Corporations.

By Mr. Tippins, of Appling—

A bill to authorize Grand Juries of Appling county to employ stenographer.

Referred to Committee on Special Judiciary.

By Mr. Reeves, of McDuffie—

A bill to incorporate the town of Dearing.

Referred to Committee on Corporations.

By Mr. Fullbright, of Burke—

A bill to amend the charter of the city of Waynesboro.

Referred to Committee on Special Judiciary.

The following bills were read the second time, to-wit:

By Mr. Alexander, of DeKalb

A bill to propose an amendment to the Constitution, so as to increase the borrowing powers of the Governor to supply casual deficiencies from \$200,000 to \$600,000.

By Mr. Lawrence, of Chatham—

A bill to amend Acts relating to the City Court of Savannah.

By Mr. Meadows, of Telfair—

A bill to require county officers of Telfair county who are required to give bond to give as surety some Guarantee Company.

By Mr. Martin, of Lee—

A bill to abolish the City Court of Leesburg.

By Mr. Redding, of Pike—

A bill to establish the City Court of Barnesville.

By Mr. Wasden, of Charlton—

A bill to amend Act to create the County Court of Charlton county.

By Mr. Brown, of Carroll—

A bill to amend Act to create the office of Commissioner of Roads and Revenues for Carroll county.

By Mr. Brown, of Murray—

A bill to fix the salary of County Treasurer of Murray county.

By Mr. Miller, of Calhoun—

A bill to amend an Act to create the City Court of Calhoun.

By Mr. Miller, of Calhoun—

A bill to repeal an Act to increase the number of Commissioners of Roads and Revenues for Calhoun county

By Mr. Meadows, of Telfair—

A bill to amend an Act to create the City Court of McRae.

By Mr. Fields, of Crisp—

A bill to repeal an Act to establish the City Court of Cordele.

By Mr. McCutchen, of Heard—

A bill to establish the line in dispute between Georgia and Alabama.

By Mr. Vinson, of Baldwin—

A resolution to appropriate \$60.00 to Mrs. Wm. R. Cook.

By Mr. Griffin, of Sumter—

A bill to appropriate \$290.97 to Department of Agriculture to pay debt due in connection with Jamestown Exposition.

By Mr. Armistead, of Oglethorpe—

A resolution to erect monument to Mrs. Wm. Harris Crawford.

By Mr. Sheppard, of Sumter—

A bill to increase the efficiency of inspection of fertilizers, etc.

By Mr. Jones, of Meriwether—

A resolution to make appropriation to meet deficiency in printing fund.

The following Senate Bills were read the first time, to-wit:

By Messrs. Slaton, of 35th District, McWilliams, of 34th District—

A bill to amend the Constitution so as to make the salary of State School Commissioner \$3,000.

Referred to Committee on Constitutional Amendments.

By Messrs. Mathews, of 23d district; Aiken, of 4th District—

A bill to provide for State and County Boards of Tax Returns.

Referred to Committee on Ways and Means.

The following Senate Bills were read the second time, to-wit:

By Mr. King, of 14th District—

A bill to require State Librarian to furnish Acts of General Assembly and Georgia Reports to all new counties.

By Mr. Day, of 41st District—

A resolution for relief of J. C. Powell, J. M. Kincaid, A. J. Ballew, J. A. Freeman and A. Beaver, of Fannin county.

By Mr. Mays, of 26th District—

A bill to amend an Act to authorize Electric Street Railroad Companies to acquire by purchase, lease or otherwise, the property, etc., of other such companies.

By Mr. Aiken, of 4th District—

A bill to promote public health by ditching and draining swampy lands.

The following resolution was read the first time, to-wit:

By Messrs. Brown, Alexander and McElreath—

A resolution authorizing the city of Atlanta to build viaducts across certain rights of way of the W. & A. R. R.

Referred to Committee on Western & Atlantic Railroad.

The following Senate Bill was read the third time and put upon its passage, to-wit:

By Mr. Pitts, of 43rd District—

A bill to amend Acts to incorporate the city of Dalton.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 93; nays, 0.

The bill having received the requisite Constitutional majority was passed.



Leave of absence was granted Mr. Sheppard, of Sumter; illness.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

On motion of Mr. Fullbright, of Burke, the call of the roll was dispensed with.

The following bill which was brought over as unfinished business from the morning's session was again taken up, to-wit:

By Mr. Huie, of Clayton—

A bill to amend Paragraph 1, Section 1, Article 3 of the Constitution so as to increase the number of Senatorial Districts.

The previous question was called and the main question ordered.

The favorable report of the Committee was disagreed to and the bill was lost.

The following bill was read and by direction of the Speaker the same was referred to the Committee on State of the Republic, to-wit:

By Mr. Carswell, of Wilkinson—

A bill to keep the politician in Georgia.

On motion of Mr. Hall, of Bibb, House Bill No. 97 was tabled.

On motion of Mr. Anderson, of Chatham, the substitute for House Bills Nos. 267, 304, 534, 538, 551 and 568 were recommitted to Committee on Constitutional Amendments.

The next special order was as follows:

By Mr. McElreath, of Fulton—

A bill to amend Article 6, Section 7 of the Constitution, which provides for one Justice of the Peace for each Militia District of this State.

Before the above bill could be disposed of a motion to adjourn was put and carried and the bill was carried over as unfinished business.

Leave of absence was granted Mr. Miller, of Ware; sickness in family.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

THURSDAY, July 28, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                       |
|---------------------|-----------|-----------------------|
| Adams               | Burch     | Faireloth             |
| Alexander of DeKalb | Butt      | Fender                |
| Alexander of Fulton | Buxton    | Field of DeKalb       |
| Allen               | Calbeck   | Fields of Crisp       |
| Alley               | Cannon    | Ferd                  |
| Anderson of Bullock | Carswell  | Fullbright            |
| Anderson of Chatham | Carter    | Garlington            |
| Armistead           | Chandler  | Gastley               |
| Atherton            | Childs    | Gillis                |
| Atkinson            | Converse  | Godley                |
| Aul;                | Cooke     | Graddick              |
| Barksdale           | Cordell   | Griffin of Sumter     |
| Bagley              | Couch     | Griffin of Twiggs     |
| Bailey              | Cowan     | Guyton                |
| Baker               | Culberson | Hall                  |
| Barrett             | Cureton   | Hardeman of Jefferson |
| Beacham             | Daniel    | Hardman of Jackson    |
| Bell                | Davis     | Harrington            |
| Berry               | Dickson   | Harvey                |
| Booker              | Drawdy    | Hatfield              |
| Boyd                | Edmondson | Heard                 |
| Brinson of Decatur  | Edwards   | Helms                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin    |
| Brown of Carroll    | Ellis     | Henderson of Turner   |
| Brown of Fulton     | Ellison   | Hendricks             |
| Brown of Henry      | English   | Hill                  |
| Brown of Murray     | Evans     | Holder of Floyd       |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnall |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Olive               | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Pierce              | Waddell           |
| Littleton             | Popps               | Walter            |
| Lord                  | Porter              | Wasden            |
| Lovejoy               | Price               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | William           |
| Miller of Calhoun     | Reid of Campbell    | Wohlwend          |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Roberts             | Wright of Floyd   |
| Moore                 | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were

read the third time and put upon their passage, to-wit:

By Mr. Field, of DeKalb—

A bill to define the rights and powers of an attorney-at-law.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 93, nays, 14.

The bill having received the requisite Constitutional majority was passed.

By Mr. Jones, of Mitchell—

A bill to create a new charter for the town of Baconton.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Fullbright, of Burke—

A bill to direct and authorize the publication of certain Georgia Reports.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 95, nays, 1.

The bill having received the requisite Constitutional majority was passed.

By Mr. Sheppard, of Sumter—

A bill authorizing the Secretary of State to confer upon certain corporations the powers of trust companies.

Mr. Sheppard moved to amend as follows, which was adopted, to-wit:

To amend by adding a new paragraph as follows: "All such amendments granted by the Secretary of State shall be recorded on charter book in the office of the Clerk of the Superior Court when such original charter was granted."

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Faircloth, of Johnson—

A bill to amend the charter of the town of Kite.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the session this morning was extended for ten minutes for the purpose of putting on their passage House and Senate local bills for third reading and House bills with Senate amendments.

By Mr. Hardman, of Jackson—

A bill to amend an Act to incorporate the city of Commerce.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Rosser, of Walker—

A bill to cede lands in the county of Walker to the United States.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent Senate Bill No. 227 was recommitted to Committee on Railroads.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Miller, of Calhoun—

A bill to amend an Act for the protection of fish and game so as to fix time for killing deer.

Referred to Committee on Game and Fish.



By Mr. Martin, of Lee—

A bill to provide service by publication in cases of divorce.

Referred to Committee on General Judiciary.

By Mr. Wohlwender, of Muscogee—

A bill to amend Section 881, Volume 3 of the Code, relative to rewards.

Referred to Committee on General Judiciary.

By Mr. Guyton, of Effingham—

A bill to regulate the catching of sturgeon.

Referred to Committee on Game and Fish.

By Mr. Hubbard, of Dawson—

A bill to amend Section 5017 of the Code of 1895.

Referred to Committee on General Judiciary.

By Mr. Guyton, of Effingham—

A resolution to pay pension due R. W. Tullis.

Referred to Committee on Pensions.

By Mr. Ford, of Worth—

A bill to amend an Act to create the City Court of Sylvester.

Referred to Committee on Special Judiciary.

By Mr. Ford, of Worth—

A bill to repeal an Act to amend an Act to create the City Court of Sylvester.

Referred to Committee on Special Judiciary.

By Mr. Hardeman, of Jefferson—

A resolution to make House Bill No. 917 a special order.

Referred to Committee on Rules.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute, by a requisite Constitutional majority, the following bill of the House, to-wit:

A bill to authorize the mayor and council of the city of Savannah to provide for the registration of

voters, for elections called for issuing municipal bonds.

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to amend an Act to authorize the city of Lithonia to establish a system of public schools.

A bill to incorporate the town of Brooks in the county of Fayette.

A bill to amend an Act to establish the City Court of Sylvester.

A bill to repeal an Act to create the City Court of Danielsville.

A bill to amend an Act creating a Board of County Commissioners of Spalding and Butts counties.

A bill to create a new charter for the town of Worth in Turner county

A bill to repeal an Act to incorporate the town of Sycamore in Turner county

A bill to amend the charter of the city of Cairo.

A bill to prohibit taking fish from a portion of Hiawassee River.

A bill to amend the charter of the city of Hagan in the county of Tattnall.

A bill to authorize the sale of a part of the Commons in the city of Columbus.

A bill to regulate butchering of cattle in Ware county.

A bill to increase the number of terms of the Superior Court of Whitfield county.

A bill to vest in the city of Columbus, title to certain lands now used for streets.

A bill to repeal the Act incorporating the town of Atwater in the county of Upson.

A bill to amend the charter of the town of Unadilla.

A bill to amend the charter of the town of Fairburn.

A bill to amend an Act to establish the City Court of Ashburn.

A bill to amend an Act to establish the City Court of Hazlehurst.

A bill to amend an Act creating the City Court of Floyd county.

A bill to amend an Act to create a Board of Commissioners of Roads, Public Buildings, etc., of Warren and Taliaferro counties.

A bill to ratify the closing of Ansley street in Decatur, Ga.

A bill to amend an Act to authorize the city of Lavonia to establish a system of public schools.

A bill to amend the charter of city of Waycross.

A bill to amend an Act to incorporate the town of Milltown in the county of Berrien.

A bill to amend an Act incorporating the town of Unadilla, Ga. Approved Dec. 24, 1890.

A bill to amend the charter of Powder Springs in the county of Cobb.

A bill to amend an Act to establish a new charter for town of Hogansville in Troup county.

A bill to amend the charter of the town of Lithonia.

A bill to amend an Act establishing a new charter for the city of Atlanta.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to fix the salaries of the Solicitors-General of the several circuits of this State.

A bill to prohibit the furnishing or exhibiting to any female any writing or printing containing obscene or vulgar language.

A bill to amend the charter of the town of Shady Dale.

Mr. McCrory, of Schley, moved that the House reconsider its action in passing House Bill No. 724, relative to the alternative road law, which motion was lost.

By unanimous consent individual speeches during the half hour for unanimous consents during the remainder of the session were limited to three minutes.

By unanimous consent House Resolution No. 277 was recommitted to the Committee on General Judiciary

Mr. McCarthy, Chairman of Committee on Labor and Labor Statistics, submitted the following report:

*Mr. Speaker:*

Your Committee on Labor and Labor Statistics have had under consideration the following bill of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass as amended, to-wit:

A bill to regulate employment of minors in the messenger service

Respectfully submitted,

JOSEPH MCCARTHY, Chairman.

Mr. McElreath, Vice-Chairman of the Committee on Ways and Means, submitted the following report:

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration House Bill No. 906—By Messrs. Anderson, Lawrence and McCarthy, of Chatham, being a bill to be entitled an “Act to authorize County Commissioners in counties containing a city with a population of not less than 54,000, nor more than 75,000 inhabitants to adopt regulations permitting taxpayers to pay county taxes quarterly or semi-annually; to require tax collectors to carry out such regulation, and for other purposes,” and they in-

struct me to report the same back to the House with the recommendation that the same do pass.

Respectfully submitted,

WALTER McELREATH, Vice-Chairman.

Mr. Garlington, Chairman of the Committee on Fish and Game, submitted the following report:

*Mr. Speaker:*

Your Committee on Fish and Game beg leave to report that the following bills do not pass, to-wit:

House Bill No. 29—Prescribing certain time for hunting certain game.

House Bill No. 209—Relative to trespass upon lands, etc.

House Bill No. 260—Prohibiting the hunting of game for a period of five years.

House Bill No. 60—Prohibiting the hunting on the lands of another without written permission.

House Bill No. 240—To revise and codify the game laws of this State.

GARLINGTON, Chairman.

July 27, 1910.



Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to amend Section 4556, Code of 1895, relative to attachments.

A bill to make unlawful the use of automobile etc., without owners consent.

A bill to provide for support of minor children when living separate from father.

A bill to amend Constitution of the State so as to abolish office of Solicitor-General.

A bill to regulate the deposit by insurance companies with the State Treasurer.

A bill to amend Section 4312, Volume 2, Code of 1895, relating to qualifications of judges of Superior Courts.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to fix time for filing pleading, etc.

A bill to create office of Assistant Attorney-General.

A bill to repeal Act of August 17, 1908, relating to foreign wills.

A bill to make wife competent witness.

A bill to amend Section 97, Volume 1, Code of 1895, relative to election of county officers.

A bill to amend Section 70, Volume 1, Code of 1895, relative to election of members of General Assembly.

A bill to fix salaries of County Treasurers.

A bill to provide for special verdicts in certain cases.

A bill to amend Section 4732, Volume 2, Code of 1895, relative to garnishments.

A bill to amend Section 1900, Volume 2, Code of 1895, relative to contracts against corporations.

A bill to amend Section 4147, Volume 2, Code of 1895, relative to compensation of jurors.

Also the following resolution of the House with the recommendation that same do not pass, to-wit:

A resolution relating to duck law.

Also the following bills of the Senate, with the recommendation that the same do pass, to-wit:

A bill to prohibit prize fights.

A bill to provide proper protection of sinking funds of municipal corporations.

Respectfully submitted,

JOS. H. HALL, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has considered the following House bills and instruct me, as their Chairman to report same back with the following recommendations:

House Bill No. 1018—To incorporate the town of East End. Do pass.

House Bill No. 1019—To incorporate the town of McIntyre. Do pass.

House Bill No. 1029—To create a new charter for the city of Dublin. Do pass.

House Bill No. 1030—To amend the charter of Cornelia. Do pass.

House Bill No. 1031—To create a new charter for the town of Willacoochee. Do pass.

House Bill No. 1033—To amend charter of Riverdale. Do pass.

BUTT, Chairman.

Mr. Stubbs, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and found properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit:

An Act to incorporate the town of Ila.

An Act to amend Section 982, Volume 1 of the Code so as to add Gordon to list of State depositories.

An Act to fix the fees to be paid by local storm and fire assessment insurance companies.

An Act to change time of holding the fall term of the Superior Court of Liberty county

An Act to amend Section 5182 of the Code.

An Act to repeal Act to create Board of Commissioners of R. & R. for

Respectfully submitted,

STUBBS, Chairman.

The Committee of the University of Georgia and its branches, submitted the following report:

*To the House of Representatives of Georgia:*

Under the call of the Chairman, the Committee of the University of Georgia and Branches, met at Athens, Ga., Oct. 4th, 1909. This Committee, with a similar one from the Senate, spent the day visiting the University, the State Agricultural College, and the Normal School.

Within the short time taken to investigate these different institutions, the examination was necessarily rapid and incomplete. We found that "Old College," the first chartered State University in the United States, which was undergoing repairs in 1908, had been completed, and was then in use—the same old Chapel was in use—the board at the "Eating house" had been advanced in price from \$9.00 to \$10.00 per month, on account of the increased cost of foods. The student body was assembled in the Chapel, and presented a healthy and intelligent appearance.

We visited the State Agricultural College that had recently been finished, at a cost of \$100,000.00, and which was situated upon a tract of land of one thousand acres, adjoining that of the old campus. Here we found classes engaged in all kinds of agricultural pursuits, making good progress.

The Committee then visited the State Normal College, where we found the school rooms, dormitories, libraries, etc., entirely too small for accommodations of the student body, and yet more than four hundred applicants, Georgia boys and girls were denied admission for the want of room. This is a cause of deep regret, if not of downright shame.

The Committee then divided into sub-committees, and visited the North Georgia Agricultural College, the Normal and Industrial College, and the Georgia School of Technology

At the North Georgia Agricultural College we found the school in a prosperous and healthy condition. The dormitory had been completed and added materially to the efficiency of the school. However, there is no library nor assembly hall, which we hope the next session of the Legislature will make provision to establish.

At the State Normal and Industrial College, we find the same general conditions—inadequate facilities in all departments. More regrets, if not shame, here. The President states that about five hundred

of Georgia girls have made application for admittance, but no room for them.

At the Georgia School of Technology we find the above discreditable conditions exist, not enough facilities to accommodate the applicants.

We find the total number of students enrolled at the University and its branches, as follows:

|  |       |
|--|-------|
| At the University (Athens)-----                              | 955   |
| At North Ga. Agricultural (Dahlongega)---                    | 214   |
| At the School of Technology (Atlanta)---                     | 800   |
| At Normal & Industrial (Milledgeville)---                    | 663   |
| At Normal (Athens)-----                                      | 819   |
| At Industrial College for colored youths<br>(Savannah) ----- | 463   |
| At Medical College (Augusta)-----                            | 111   |
|  | <hr/> |
|  | 4025  |

J. J. C. McMAHAN, Chairman.

Mr. Henderson, of Irwin, Chairman of the Committee on State Sanitarium, submitted the following report:

*Mr. Speaker:*

Your Committee on Georgia State Sanitarium have had under consideration the following House bills and instruct me, as their Chairman, to report same back to the House with the recommendation that they do pass.

To provide for appointment of trustees of the Georgia State Sanitarium.

To authorize the Board of Trustees of the Georgia State Sanitarium to establish a training school and for other purposes.

Respectfully submitted,

HENDERSON, Chairman.

The following invitation was read and unanimously accepted by a rising vote:

HON. JOHN N. HOLDER,

Speaker House.

DEAR SIR: I cordially invite the House of Representatives, its officers and members of the press reporting the proceedings, to a barbecue given in honor of the General Assembly on next Tuesday afternoon. At two o'clock the cars will be at the Hunter street side of the capitol.

Very respectfully,

JOHN M. SLATON



The Committee on Public Property submitted the following report:

*Mr. Speaker:*

The Committee on Public Property have had under investigation, under a Resolution passed by this House, certain charges against the Keeper of Public Buildings and Grounds, as submitted in a letter from Hon. Thomas E. Watson to Hon. John N. Holder, Speaker of the House and dated June 23d, 1910, and having attached thereto a copy of a letter written to Mr. Watson wherein said charges were made.

For the information of the House we herewith include the letter of Mr. Watson to the Speaker, and also a copy of the letter written to Mr. Watson as follows:

THOMSON, GEORGIA, June 23, 1910.

HON JOHN N HOLDER,

Speaker of the House,

Atlanta, Ga.

MY DEAR SIR: For the present I withhold the name of the writer of the letter of which the inclosed is a copy. I believe him to be a responsible man, and, if necessary, will put you in communication with him. It seems to me that it is my duty to transmit to you a copy of the letter, in order that

you may lay it before the Committee on Public Buildings and Grounds, so that a searching investigation may be made.

R. F. Duckworth and John Lee, who are running things at Union City, are utterly unprincipled and corrupt. Mr. Barron was their *protege*, and it was at their urgent insistent request that Governor Brown appointed Barron to his present position.

It is not at all improbable that the charges made in the letter are true, and that Barron is dividing with his pals at Union City.

Very respectfully yours,

THOS. E. WATSON."

"MR. WATSON :

During the past year, large sums of the people's money has been spent at and on the capitol in repairs, refurnishings, etc., etc.

"If you will have the Legislature appoint a Committee of Investigation, to look into the affairs and conduct of the office of Keeper of Public Buildings and Grounds, there will be some rich, rare and racy developments, which will show Lee Barron up *in his true colors*, and prove the unwisdom of Mr. Brown in placing such an irresponsible person in such an important position, just to please Ducky, and the Union

City bunch. I would suggest that said Committee ascertain if certain contracts let by said keeper, for repairs and improvements, were not paid for at one price, and charged up to the State, at a much larger figure; or, in other words, if there has not been a collusion between said keeper and said contractors, to the effect that if said keeper would award certain contracts at a certain figure, he would be entitled to, and receive, a certain amount from said contract. (Don't you see?)

“Also let them ascertain if guards, porters, and other employees names have not been kept on the ‘pay-roll’—and their salaries drawn regularly—when they *were not* in the service of the State in any capacity. Coal, wood, water, gas, electric lights and other ‘bills and contracts’ should be fully investigated.

“I merely put you on to these things. There is surely something dead up the branch. The water needs to be filtered.

Yours truly,”

Atlanta, Ga.

Your Committee at its first meeting, in order to get at the truth of said charges and find if there had been any misappropriation of money or graft in this department, and in order that said charges might be fully investigated, passed the following resolution:

“*Whereas*, on the 24th day of June, the Honorable Thomas E. Watson submitted to the House of Representatives a communication in writing, addressed to the Speaker of the House, dated June 23rd, 1910, which communication was immediately submitted by the Speaker to the House, and accompanying which was a copy of an unsigned letter wherein certain grave charges were made against the Keeper of Public Buildings and Grounds with a request that the letter and communication accompanying the same be referred to this Committee:

“*And Whereas*, the House, by motion has referred the said papers to this Committee, with instructions and authority to investigate the truth of the charges therein contained:

“*Therefore, be it Resolved*, by the Committee, that the Honorable Thomas E. Watson, be, and he is hereby requested to furnish to the Chairman of this Committee, at once, the name and address of the author of the letter in which said charges were made, an unsigned copy of which was so submitted by him to the House, in order that a thorough investigation may be made by the Committee of the charges in said letter contained.

“*Be it further Resolved*, that the Chairman of this Committee be, and he is hereby, instructed to transmit a copy of this resolution to Mr. Watson.”

The Chairman of said Committee forwarded a copy of the above resolution to Mr. Thomas E. Wat-

son, in accordance with the instructions of said Committee.

Mr. Watson, in answer to said resolution, wrote the Chairman of your Committee, under date of June 29, 1910, a lengthy letter, and among other things said:

“The words ‘Watson’s charges’ have gone everywhere. I have made no charges. There was nothing improbable in the accusation brought by my correspondent, and it was a duty to lay them before the officials who have jurisdiction over such matters.

“The letter itself proves that I went no further than to vouch for the fact that charges emanated from a responsible, respectable source. Without such assurance, I knew that neither the Governor nor the Legislative Committee would pay any attention to them.

“My promise to furnish you a list of witnesses was founded upon a positive promise made to me by my correspondent. He has not as yet complied. If he does not do so by to-morrow morning, he will not do so at all. If he keeps his word I will telegraph you the list immediately. If he leaves me in the lurch, I will bear whatever blame attaches to the conduct of a citizen who, in good faith, endeavors to safe-guard the public interest.

“Just as the books and vouchers of county officials

are searchingly investigated once a year, so the books and vouchers of State officials should be examined.

“And it is equally clear to my mind that if you will require of Barron the production of his vouchers, you will have supplied yourself with the very witnesses that you need.

“Barron’s books and vouchers will furnish nearly all the witnesses that you want.”

Your Committee required of Mr Barron, not only the production of his books, vouchers, bills and checks, but Mr. Barron, himself, was sworn as a witness and testified before your Committee.

Not content with that, your Committee employed the American Audit Co. to audit the books of Mr. Barron, and that audit is hereto attached as a part of this report.

The report of the auditor shows Mr. Barron’s books to be in excellent condition, and correct in every particular.

We present herewith the sworn testimony of J. L. Barron before your Committee.

We find, according to the sworn testimony, that the employees in charge of the Keeper of Public Buildings and Grounds receive the same compensation as were paid by the predecessor of Mr. Barron, except the treasury porter, whose salary has been advanced

\$7.50 per month on petition from the treasury officials.

Mr. Tumlin, the Keeper of Public Buildings and Grounds, who preceded Mr. Barron, was sworn before your Committee, and he says that there are now employed the same number of employees at the capitol and mansion as when he was in office, and the evidence shows they receive their pay practically in the same way.

We find that the money for carpeting and renovating of the House and Senate, and other rooms, did not pass through the hands of Barron; that Barron's connection with this matter was to advertise for bids, by direction of the Governor, receive them under seal, and open them in the presence of the Governor and the bidders themselves, and that then the Governor let the contract to the lowest bidder, and no money for carpeting, renovating or decorating the House or Senate passed through Barron's hands, but was paid by warrant drawn by the Governor, under resolution of the House, No. 27.

Your Committee had before it the representatives of all the bidders for the furnishing and laying the carpets at the capitol. All of said representatives were sworn as witnesses, and they all say that their bids were made on the specifications, without any suggestion from any one. That said bids were sealed up, delivered to Mr. Barron, and afterwards opened in the presence of the bidders themselves, in the

Governor's office, and that the contract was then let by the Governor to the lowest bidder. Your Committee finds that the specifications were such as could be understood by anybody.

We find, according to the testimony, that the carpet cost the State \$2.17½ per yard.

We also had the gentleman before us who did the decorating. The bids for this work were submitted and opened just as the other bids for the carpeting were submitted and opened, in the presence of the Governor and bidders.

We find nothing connected with the letting of these contracts subject to criticism.

Your Committee ascertained that one A. M. Walker, Sr., was supposed to be the author of the letter to Mr. Watson, wherein it was suggested the Keeper of Public Buildings and Grounds be investigated.

We summoned Mr. Walker as a witness before your Committee, and, under oath, he disavowed any intention of making any charges against Barron, but said he knew nothing whatever wrong in said office. He said he had written the letter to Mr. Watson, but it was not intended as charges against Barron; that he had been requested by Mr. Watson to give him (Watson) some ammunition against the "Union City bunch," and under the influence of that letter



he (Walker) wrote the letter to Watson suggesting this investigation.

Mr. Walker also testified that he marked on the corner of the envelope on the letter to Mr. Watson the words "Private and Personal," and also marked on his letter to Mr. Watson, just above his (Watson's) name the words "Strictly Confidential."

Your Committee further asked Mr. Walker if he knew, or could give the Committee the name or names of any person or persons who could give your Committee any information about the Keeper of Public Buildings and Grounds' office, and he said he knew of no one that knew any fact or facts about it.

Your Committee herewith submits a stenographic report of the testimony of Mr. Walker, as well as an entire report of the investigation, for inspection and consideration.

Your Committee finds no evidence whatever going to show any misappropriation of any monies, or anything going to show any wrong doing or graft in the office of the Keeper of Public Buildings and Grounds.

Your Committee finds that the charges against the said Keeper of Public and Grounds are entirely unwarranted.

Respectfully submitted.

G. J. KEITH, Chairman.

ATLANTA, GA., JULY 7, 1910.

*Investigation of J. L. Barron, before*

THE PUBLIC PROPERTY COMMITTEE,

MR. KEITH, Chairman.

Mr. Hall: As Chairman of the sub-committee to employ a stenographer, I desire to report we have employed Mr. A. E. Barnes, official stenographer of this Committee.

Mr. Keith: The Committee had absolute power and it is not necessary for this Committee to ratify it.

I will state, gentlemen, Mr. Barron is present.

Mr. Hill: I want to ask him a question: I want the initial of this man Walker that they say wrote the letter.

Mr. Barron: A. M. Walker, Sr., given in the papers.

Mr. Hill: I move a subpoena from this Committee issue for A. M. Walker, Sr., as a witness before this Committee. (Which motion was carried.)

Mr. Jones: Do I understand this man is one of the bidders?

Mr. Hall: No, sir, the man the newspapers say brought the charges.

Mr. Jones: It occurs to me in addition to having this man subpœnaed there might be others, and I suggest that we dispose of what we have for the afternoon and then take up the subpœnaeing of the witnesses.

Mr. Hall: I suggest we ought to have a Sergeant-at-arms. We have got to have some one to serve these subpœnas. I believe the resolution covered that.

Mr. Jones: It occurs to me before we subpœna any one, we wait until we get through and then make up a list of them we wish.

Mr. Hall: That is the only man I know of myself right now. I have got in my mind other men we may need to subpœna as the thing develops, and I have no objection to waiting and subpœnaeing all of them at once. We may have to subpœna some experts in addition to these bidders in this line of work, that they may make an examination so that we can see what the thing cost and whether or not it was reasonable or unreasonable—the amount paid for it.

Mr. Keith: I suggest that after we get through with Mr. Barron we might have a better idea of it.

Mr. Hall: I propose Mr Barron be sworn as a witness, subject to be examined by any member of the

Committee, and move that as a motion. If anybody else has got any suggestion I hope they will say so.

Mr. Jones: There is nobody else before the Committee that I know of we can hear from and I think that is a proper motion. (The motion was carried.)

Mr. Brown: I suggest that he be sworn with the same rights and privileges other witnesses have.

Mr. Hall: Certainly

J. L. BARRON, SWORN.

Mr. Hall: What is your official position in the State of Georgia?

A. Keeper of Public Buildings and Grounds.

Q. By whom were you appointed to that office?

A. The Governor of the State.

Q. What Governor?

A. Joseph M. Brown.

Q. How long have you held that position?

A. Since July 3, 1909.

Q. Who did you succeed in that office?

A. Mr. Tumlin.

Q. Where is he?

A. I don't know. I don't know where he lives; I think he lives in Carroll county.

Q. When you went into that office did you give him any receipt for the public property that came into your hands?

A. No, sir.

Q. You gave him no receipt at all?

A. No, sir.

Q. What are the duties of your office?

A. To look after the general work and repairs and so on of the capitol building and grounds and the Governor's mansion.

Q. Do you have the employment of all the employees who are charged with taking care of the capitol?

A. No, sir.

Q. I mean the employees about the capitol?

A. They are appointed by the Governor.

Q. Do you employ any servants at all?

A. No, sir.

Q. Do you employ anybody?

A. I have in one or two cases employed labor, or given Mr. Allen permission to do it, the Captain of the capitol guard.

Q. He employs them generally himself?

A. I think it has been going on in the usual order—when I came there were three or four laborers and they were going along.

Q. These scrub women about here, who employs them?

A. It is supposed to be done under that office, and I found them here and I let them stay here.

Q. You pay them the same that you found them getting?

A. Yes, sir.

Q. You have not changed it?

A. No, sir.

Q. As to the servants in the Executive mansion, who employs them, the Governor?

A. The Governor or some member of his family

Q. You have nothing to do with it?

A. No, sir.

Q. What payrolls are they carried on?

A. On the public building.

Q. He reports the names of the servants to you?

A. Yes, sir.

Q. Who fixes their wages?

A. In the only case that I know of, Mrs. Brown, the Governor's wife fixed the wages.

Q. She reported that to you?

A. Yes, sir.

Q. And you approved it at those wages?

A. Yes, sir.

Q. What employees about the State capitol here are directly under your charge as Keeper of Public Buildings who are carried on your payroll?

A. I should not consider any, except the laborers.

Q. What payroll is the guard carried on?

A. They are paid by check and entered up on the cash book, the same as any other expenditure.

Q. They are not on any payroll?

A. No, sir.

Q. Who signs those checks?

A. I sign them.

Q. Where do you get the money to pay them?

A. I get it on an Executive warrant.

Q. What fund is it drawn on?

A. Public building warrant or fund.

Q. Who draws the warrant?

A. The Governor.

Q. How is the warrant drawn, on what information?

A. He has a statement from the office of the Public buildings and Grounds, and an estimate of the amount that it will take to run that department for that month on the first of each month.

Q. And a warrant is drawn in your favor?

A. Yes, sir.

Q. What do you do with the money when the warrant is drawn in your favor?



A. I deposit it in the auditorv named by the Governor.

Q. You take that money out of the State treasury?

A. Yes, sir, on that warrant.

Q. You get the money out of the State treasury?

A. Yes, sir.

Q. What do you do with it?

A. I deposit it in bank.

Q. What bank?

A. Third National Bank.

Q. When that money is drawn it is only on an estimate furnished you by the Governor?

A. Yes, sir.

Q. And you draw your checks?

A. Yes, sir.

Q. How often do you report to the Governor the disposition of that fund?

A. I don't know that I have reported it all.

Q. You don't report the disposition of it, no report made to him of it?

A. There has not been since I have been in office.

Q. Who keeps the check of your account—who do you account to for this money when you put it in the bank to your private account?

A. My checks and vouchers are there.

Q. Don't you make any itemized statement to anybody of your distribution of that fund?

A. No, sir.

Q. Have you ever found in your office any system of bookkeeping by your predecessors?

A. No, sir.

Q. As I understand, there is no bookkeeping in the office?

A. Practically—there is a cash book and record kept, and at the end of each month it is entered up on this ledger here.

Q. Then there are books?

A. Yes, sir.

Q. You have a cash book and ledger?

A. Yes, sir.

Q. Does the cash book and ledger show all the items of expenditure in that office?

A. The amount?

Q. The items?

A. I don't understand your question. You mean for what each check is drawn?

Q. Yes?

A. Yes, sir.

Q. You have that there, a cash book and ledger?

A. Yes, sir, the ledger shows that, and the cash book shows to whom the check was made payable.

Q. The ledger is made up from the cash book?

A. Yes, sir.

Q. These employees, you don't require them to sign a payroll?

A. They sign a voucher.

Q. That voucher is a receipt?

A. Yes, sir.

Q. You have a receipt besides the check given them?

A. Yes, sir.

Q. Let's see the form of your voucher?

A. I will state when I came into office this is the form that was used in the book, and that was used up until about sometime in March of this year, and then I begun the voucher system of this kind. The vouchers are signed there and the invoices pasted in this ledger.

Q. The first receipt that I find is voucher 17, "received of the State of Georgia \$23.33 on account of the payroll Number 4, for services at the Governor's mansion," and you receipted yourself for that amount?

A. Yes, sir.

Q. Have you got the payroll?

A. Yes, sir.

Q. What was the idea for receipting yourself for that money? ' .

A. I got the money and that was the only way that I had.

Q. You got it from yourself?

A. No, sir, from the public building account at the bank.

Q. You had it there to your credit?

A. Yes, sir.

Q. That was the form this thing was carried on in?

A. Yes, sir.

Q. "Received of the State of Georgia three dollars on account of water for the month of June," was that bill regularly made out to you?

A. Yes, sir.

Q. And was the bill itself receipted?

A. I don't know whether it was or not, it was not necessary, it may have been receipted; if it was their custom to receipt it, it was.

Q. You seem to have your receipts in this book without the bills?

A. The regular invoices are pasted in this ledger here, up to this date I speak of.

Q. On account of repairing two chairs \$2.75?

A. Yes, sir.

Q. You changed this system?

A. Yes, sir.

Q. And you put everything in the form of a voucher?

A. Yes, sir.

Q. Let's see that. Do you call that in the form of a voucher—look at it and see?

A. Yes, sir.

Q. That is nothing but a receipt for yourself—read it?

A. That is the record—here is the regular voucher here.

Q. You said you didn't have a payroll and here is one?

A. I didn't understand you. I said that I had payrolls for services and porters. I have not got any payroll for guards; they sign vouchers.

Q. These payrolls are they signed by the persons who get the money?

A. Yes, sir.

Q. Which ones of them?

A. Possibly sometimes they might not be, for instance, I have known in two or three offices may be some one in the office, my regular paying time is about 11 o'clock. I have noticed, for instance, the Secretary of State's office, they come around and sign for their porter.

Q. Who would?

A. Some one in the office.

Q. Don't you require the man who gets the money to sign for it?

A. If he is there.

Q. If he is not there do you turn it over to anybody?

A. Not to anybody.

Q. Do you turn it over to anybody except the one who gets it?

A. By their giving a receipt for it.

Q. Suppose the party said he didn't have authority to sign for it, that they were not authorized to sign for it, what do you do?

A. We generally know whether they were or not.

Q. This is what you call a voucher here—payrolls for porters and laborers \$123.47. I certify the above account is correct and just and service rendered, or for articles purchased as stated. J. L. Barron, Keeper Public Buildings. Received of the Public Building Department \$123.47 in full of the above account, J. L. Barron,” is that your idea of a voucher?

A. That is the only way that I had to keep a record. I had to get it out of the bank. I didn’t want to draw a check to myself, and consequently I signed this up to get it.

Q. That is your method of keeping up your account?

A. Yes, sir, and this shows I paid it out.

Q. Here is another payroll of April, and your voucher is similar to the other one?

A. Yes, sir.

Q. These are servants at the mansion, I see they are witnesses by Mrs. Brown?

A. Yes, sir.

Q. Warren Butler, Clara Elder, David Elder and Anna Pulley?

A. Yes, sir.



Q. You say the number of the check is 563?

A. Yes, sir.

Q. That is your check?

A. Yes, sir.

Q. You collected \$23.33 and handed it to Mrs. Brown?

A. I sent it over there in an envelope for that purpose.

Q. And she says these papers signed showing that they were paid?

A. Yes, sir.

Q. She seems to have been particular each one got the money signed it?

A. They do sign it.

Q. Here is the salary of the engineer. You got that in form and he signed the voucher himself?

A. Yes, sir, they all sign them.

Q. I see he signed that?

A. Yes, sir.

Q. His salary is \$50.00?

A. No, sir, they are paid twice a month, on the 15th and the last day of the month.

Q. Here is the fireman, George Howard, in favor of him, and it is receipted by W. B. Wilson, per George Howard?

A. For George Howard—Wilson is the engineer and he came and signed it.

Mr. Hill: Number 30 here, in the check you write \$15.00 and you put \$50.00 down here in figures, how is that?

A. It should be fifty dollars, I suppose—you can look at the check and see.

Mr. Hall: You drew that money yourself?

A. Yes, sir.

Q. That is for \$50.00?

A. Yes, sir.

Q. How many guards are employed in the capitol?

A. Five.

Q. How many on in the day?

A. Three.

Q. How many at night?

A. That is, including the Captain of the guards—and two at night.

Q. Who fixes the pay for those guards?

A. Recently, I don't know who—I carried it along like it was.

Q. You found it there and you continued it as you found it?

A. Yes, sir.

Q. How often have those guards been changed since you have been in office?

A. They change practically every two months—some of them—the guards at night I change every two months.

Q. How often the day guards change?

A. Sometimes two every two months and sometimes three months.

Q. Who puts them on?

A. I usually—if you will allow me to make an explanation, I usually about the 20th of the month to

give me plenty of time before the guard's time is out, go and ask the Governor who he wants appointed, and he tells me who to appoint, if he wants some one, and if he does not, he leaves it to my discretion. I have the applications on file and usually select from them.

Q. Unless the Governor has some one person he leaves it to your discretion to make a change in the guards every two months in the day and the night guards every three months?

A. He does not state that.

Q. That is the custom of it?

A. Yes, sir.

Q. Do you know how long that custom has obtained?

A. No, sir; I know it has been so about a year since I was here.

Q. Do you know when you went in office that was the custom to change the guards?

A. I have heard it was, I don't know; I have heard that they were put on every two or three months.

Q. Do you know how many employees at the Ex-

Executive mansion are carried at the expense of the State?

A. Yes, sir.

Q. How many?

A. Four.

Q. What do that—what do they do?

A. One of them is classed as butler, one cook and driver and maid.

Q. Are they classed that way?

A. On my payrolls they are.

Q. Do the records show how long they have been carried in that way?

A. I have no record except my own.

Q. You didn't get any records?

A. Except this book and my predecessors' cash book.

Q. That don't indicate how servants are carried at the Executive mansion?

A. No, sir; I never saw one of those payrolls, I mean one of his payrolls.

Q. Where did he file them?

A. I don't know.

Q. What did he do with the records of his office outside of these books?

A. I don't know.

Q. All he turned over to you was this cash book and ledger when you went into office.

A. And a lot of keys.

Q. I mean in the way of records?

A. Yes, sir, that is all he turned over to me; he didn't turn anything over to me he just left them there on the desk.

Q. When that man delivered the office to you?

A. Yes, sir.

Q. He turned over the office to you?

A. Yes, sir.

Q. And these books were in the desk and he delivered them to you that way?

A. He didn't say anything about turning over anything to me except some keys.

Q. That is all that he mentioned was the keys?

A. That is all that I remember, he might have went over and said something to me about the different books, but this is all that I had any use for—I never had any use for those books.

Q. Where abouts are they?

A. If they were left there they are there yet. I suppose that they were left there in some of the old drawers, some of them I have not opened.

Q. Don't you know these records of the expenditure of money is important to be preserved?

A. I guess so.

Q. You don't know what books are in the office?

A. No, sir; I know one of his cash books are there, and a cash book Mr. Hall had when he was there, that is all that I have ever looked at.

Q. What employees about the capitol are paid from your office, are all the porters employed in the various departments?

A. No, sir, not all of them.

Q. The Supreme Court porters and the Court of Appeals porters?

A. Yes, sir, one Court of Appeals porter.

Q. Are the porters for the State Library?

A. Yes, sir.

Q. Are the porters for all the other offices in the capitol?

A. All except the Prison Commission, and the State School Commissioner and Department of Agriculture.

Q. How do they pay their force?

A. I don't know.

Q. You don't know?

A. No, sir.

Mr. Hill: What salary do you pay the watchman at the capitol?

A. Fifty dollars a month.

Q. On February 3rd you paid N. C. Williams ten dollars?

A. Yes, sir.

Q. And on the 28th a receipt from him for \$20.00, how is that?

A. Sometimes one or two of the old guards will come to me and ask for a payment, but I am careful



to see I don't pay them over the fifty dollars a month; if they work ten days and want ten dollars, there have been a few times I have paid them that way along, but I have never paid them over their money coming to them.

Mr. Hall: Do you know how many porters are paid through your office in the State capitol?

A. Yes, sir.

Q. How many?

A. Nine.

Q. These porters are not changed very often?

A. No, sir.

Q. They are kept where they are satisfactory?

A. Yes, sir.

Q. They have hardly been changed since you have been in office at all?

A. I don't know of a man that has been changed. I don't know of a one that has been changed.

Q. Do you know what they are paid?

A. Yes, sir.

Q. How much?

A. Forty dollars a month.

Q. Each one?

A. Yes, sir.

Q. Who fixes their salary?

A. I don't know, I found it there; and one porter in the building is paid \$7.50 extra.

Q. Which one?

A. The porter in the treasury department.

Q. What is his name?

A. Peter McMichael.

Q. Why is he paid \$7.50 extra by check?

A. There are several reasons why he is paid \$7.50 by check for the reason he is paid that much—I was asked to raise his salary to fifty dollars a month.

Q. Have you got the right to do it?

A. I didn't take it—I possibly had the right, but I didn't know.

Q. Did you raise his salary?

A. Yes, sir, I raised it to \$47.50 after a conference with the Governor.

Q. You raised it to \$47.50?

A. Yes, sir.

Q. What was the reason?

A. He is reported to be a faithful old negro, and they all had a lot of confidence in him, he has been here 39 years, and I was asked to raise it and I didn't do it until I talked to the Governor about it.

Q. Who made the request of you to do it?

A. Mr. Brown, the treasurer.

Q. Why is it he is paid the forty dollars on the payroll and then \$7.50 by check?

A. The forty dollars on the payroll—you cannot pay one negro porter more than you can another one without a whole lot of dissatisfaction, and that is the only reason in the world.

Q. How was that check made out?

A. It is made to him direct.

Q. Does he endorse it?

A. Yes, sir.

Q. Does he give any receipt except the endorsed check?

A. Yes, sir; here is a voucher he signed for it.

Q. He signs that extra besides the check?

A. Yes, sir; I think that has been only a couple of months.

Q. You do it that way to keep from making dissatisfaction among the other porters?

A. That is the only reason.

Q. What other employees do you employ?

A. Mr. Allen, has under his charge, the Captain of the guard, four negro men and two negro women.

Q. Who appoints them?

A. I think three of them were already here, and sometimes—there has been once or twice, one of those negroes has been discharged.

Q. Who did it?

A. I did it.

Q. At whose request?

A. Mr. Allen's.

Q. They are kept pretty regular all the time?

A. I think there has been only one or two changes since I have been here.

Q. You made it at the request of the Captain of the guard, under whose control they are?

A. Yes, sir, he reported one that was not satisfactory.

Q. How much coal do you purchase?

A. It was agreed we would take 600 tons.

Q. How is that coal purchased?

A. I purchased the coal just after I had been in office.

Q. How?

A. I had letters from the different coal men here in town, and of course, each one would come and see me personally and tell the advantages of his coal, and I spoke to the Governor about it, I didn't want to take the responsibility of purchasing the coal of that amount without talking to somebody, and I talked to the engineer about it also, and then I asked a good many in the building about the coal that had been bought here for several years, they had been buying a special coal for several years, I asked them if it had been giving satisfaction and they said it was, and

they priced that cheaper than any other that was classed as the same coal, and I bought it.

Q. Did you have any record of the bids?

A. Yes, sir.

Q. The bids are here showing what each one bid?

A. Yes, sir.

Q. How much a ton did you pay for the coal?

A. \$2.90 delivered.

Q. Did that include the coal for this building and the Executive mansion?

A. Yes, sir.

Q. Who saw to the weighing of it?

A. The weights were sent here, the tickets for each load, sent here to the engineer.

Q. Did the engineer check those weights so as to know that they were correct?

A. I understand it came over the city scales.

Q. Did it have any certificate from the city weigher?

A. No, sir.

Q. You had no way of determining whether you got the amount of coal that you bought?

A. It was pretty evident I got that amount, it was about the same amount that had been bought here for years.

Q. Has there been any check kept on the weight of the coal at all?

A. None except the man that we bought from.

Q. You bought by his weights?

A. Yes, sir.

Q. You bought about 600 tons of coal and bought by the weights of the man that sold it without knowing whether they were correct or not?

A. I don't know that I would say that, but it is like buying anything else, and I will state that it was my information that it came over the city scales, and I think the engineer will bear me out in the statement, he had been buying coal from them for years and they were a perfectly reliable firm.

Q. Who is the engineer, Wilson?

A. Yes, sir.

Q. How was that coal paid for?

A. By check.

Q. Who drew the check?

A. I did.

Q. Where abouts are your receipts for that coal?

A. Two payments of \$750.00 on that book there, and one for the balance in a voucher here—I can look through and find it.

Q. You have only one voucher and the other receipts?

A. That is a receipt there.

Q. That is the form of it that you call a voucher there?

A. Yes, sir.

Q. Do you expend any money of the public property fund for anything else on the ordinary repairs of the building and mansion and on the capital and to the payments of servants and water and gas?

A. I buy some furnishings for the different officers.

Q. You have no authority to buy them from the Governor?

A. I don't go to the Governor with every little matter that comes up.



Q. What do you mean by little matter?

A. If a person wanted a chair fixed, for instance.

Q. When you go and make an independent purchase do you pay for it without authority from the Governor?

A. If it is needed in the room, for instance, at one time here there were some filing cabinets in the Governor's office that I bought on request of the Secretary.

Q. You didn't mention it to the Governor?

A. No, sir.

Q. You have the accounts showing all that?

A. Yes, sir.

Q. On your ledger and day book?

A. Yes, sir.

Q. Are they all carried on your ledger and day book?

A. Yes, sir.

Q. I mean every cent, does your ledger and day book show for it?

A. Yes, sir, it shows the amount of each thing.

Q. And what for and to whom paid?

A. It might be well for me to state right here, that this book here gives the place for the date and voucher and number, and engineer and fireman and porters salary, water, fuel, lights and contingencies. Now, I had to go back over my check stubs and find what that was.

Q. "F at the capital?"

A. Furnishings at the capitol, and "R" repairs at the capitol. I had to go over that in making out my report, there is no space on the book for it.

Q. What was the amount paid out for the repairs made on the capitol?

A. Painting and plumbing and brick and carpenter work, \$2,490.90.

Q. Those are the ordinary repairs?

A. Yes, sir.

Q. How much did you pay out on that special appropriation on these extraordinary repairs, decorating and carpeting?

A. I didn't pay that at all.

Q. Who paid that, the Governor?

A. I understand it was paid on Executive warrant.

Q. Those things didn't pass through your office at all?

A. No, sir.

Q. You had no connection with them?

A. Not with the paying.

Q. Did you have any connection with them at all?

A. Under the direction of the Governor I did.

Q. What connection did you have with them?

A. I advertised for the bids.

Q. Were the bids submitted to you?

A. Yes, sir.

Q. What did you do with the bids then?

A. I kept them until a certain time when they were to be opened and notified the bidders.

Q. Who opened them?

A. I pulled them open.

Q. In the presence of whom?

A. In the presence of the Governor and the bidders.

Q. Who awarded the bid?

A. The Governor.

Q. All in the world you had to do was to advertise for the bids, receive them and convey them to the Governor, that was all?

A. Yes, sir.

Q. That was your sole connection with that matter?

A. Yes, sir.

Q. You had no other connection with that special appropriation at all?

Q. The money didn't pass through your office at all?

A. No, sir.

Q. That was entirely under the control of the Governor?

A. Yes, sir.

Q. Do you know how many yards of carpet were bought?

A. No, sir.

Q. You don't know what price was paid for it?

A. No, sir.

Q. You have the bids here in writing?

A. Yes, sir.

Mr. Brown:—Who superintended the work?

A. The work was under the supervision, the decorating, of Mr. Dainelly, an architect.

Q. The Governor employed an architect?

A. Yes, sir.

Q. Do you know his initials?

A. W. T. Daniels.

Q. Does he live here in Atlanta?

A. Yes, sir.

Mr. Hill:—Was S. W. Frey a watchman here at the capitol?

A. Yes, sir.

Q. Do you know anything about what price was paid for those carpets of your own knowledge?

A. No, sir, I don't know a thing about what price

or how many yards. I think the Governor's message explains that a little better than I could: "Each contract was let by bids, suitable advertising being made and full opportunity offered all who desired to make estimates. In order to insure the most acceptable results in the matter of repairs and decorations I thought it wise to reject all of the first bids submitted for that part of the work. The work being of a highly technical nature a reliable and skilled architect was employed to prepare specifications and engaged to supervise the work under which, after advertising throughout the State bids were again submitted and opened, the contract being let to the lowest bidder." One reason was the specifications I drew were not quite full enough, and another was, the Governor didn't think, and no one else who had the matter in mind at all, that the bidders understood exactly what was wanted; there was such a wide difference between the highest and lowest bid, that was the reason, and possibly my specifications were not full enough. They are here.

Mr. Hall:—Do you know what you pay for the lights at the capitol?

A. No, sir, not without referring.

Q. Do you know what you pay for lights at the mansion?

A. No, sir.

Q. Get for the Committee an itemized statement, sometime during this hearing, of what you pay for lights at the mansion and lights at the capitol. Can you get it up?

A. Yes, sir.

Q. Not right now but some future time?

A. The lights bills vary all along.

Q. How much do you pay for fuel altogether?

A. The usual coal bill, and some wood, I think we have bought possibly two cars of wood since I have been here, may be only one.

Q. What is that wood bought for?

A. To burn in the boilers.

Q. What is the amount that you paid for coal?

A. \$1,642.74.

Q. What do you mean in addition to that coal, steam heat at the mansion?

A. That is the steam heat from the Georgia Railway and Electric Company, and that is in the winter and I included it in the light bill.

Q. In addition to the coal they have steam heat at the mansion?

A. Yes, sir.

Q. How is the mansion heated by the steam heat?

A. It is heated both by steam and open fire places.

Q. They can use the steam?

A. Yes, sir, the same as this building.

Q. The steam heat that heats the mansion is furnished by this corporation here?

A. Yes, sir.

Q. Have you got any idea how much of that fuel is used at the mansion?

A. About 25 or 30 tons.

Q. Is that used for grates or cooking?

A. I don't know whether they use it for cooking or not, I suppose they do as I have not been called on to buy any wood there at all.

Q. The State furnishes the Governor fuel for cooking?

A. I don't know where the coal is used, but I sup-



pose it is used there as I have not bought any wood for the mansion.

Mr. Brown:—Any gas used there?

A. Yes, sir.

Q. Is that used for cooking?

A. I don't think so; I am sure they don't cook with gas.

Mr. Hall:—Did Mr. Tumlin turn you over money when you come into office?

A. Yes, sir.

Q. \$6.59?

A. Yes, sir.

Q. You didn't know you didn't have any right to receive it from him?

A. No, sir.

Q. He turned it over to you?

A. Yes, sir.

Q. He took it out and says here is \$6.59?

A. I don't think he did, I think he just left it in the bank and transferred it to me.

Q. That is all he left in there?

A. Yes, sir.

Q. Do you know whether anybody checked his accounts before he went out of office or not at all?

A. I noticed on his check book where they were checked by Mr. Hicks, I think.

Q. One of the clerks?

A. That statement is on some of the pages and cash book.

Q. You didn't balance them?

A. No, sir.

Q. You didn't find whether he owed any more than that or not?

A. No, sir.

Q. To what date is this report brought down?

A. June 22nd, inclusive.

Mr. Jones:—I suggest in view of the charge and investigation if he desires to make any further statement about it that he do it now, if you all are through examining him?

A. Mr. Chairman and gentlemen of the Committee, I have not got anything to say to the Committee. The charges would imply, of course, there is something wrong in my official conduct, and my books and vouchers and everything is here before you, and my cash book is here, in reference to everybody that I dealt with, and if you want to get witnesses, there are their names, that I have paid any money to, and not only that, if the Committee desires it I will be glad to give them a list of names of people that I have been in any prospect of dealing with since I have been in office.

Mr. Hall:—Do you know what Mr. Hall's name is?

A. J. A. Hall.

Q. He lives at Calhoun?

A. I think he does.

Mr. Brown:—At the time that you were appointed to this office, how many applicants were there?

A. I don't know, I never did see any of them, I heard, of course, there were a good many, but I never did see an application.

Q. Have you had any friction with any of the applicants?

A. Not that I know of—no, sir.

Q. Do you know who gave Mr. Watson the information on which this investigation is being held, the name of the person?

A. No, sir.

Q. Do you know of any information that would lead us to the discovery of that information?

A. No, sir, except what I have seen in the newspapers; I don't know of my own knowledge who wrote it or how you would get at it.

Mr. Davis:—Have your accounts been audited?

A. No, sir.

Q. Have you all the books kept in the office, together with your cash book, and have you got the contracts and vouchers and checks all here?

A. Yes, sir.

Mr. Davis:—I move that we secure a competent officer to have these books and accounts audited, and have a report of that officer to us his findings, as early as possible.

Mr. Hall:—I think that is an absolutely necessary thing, and I suggest that that audit cover all the books in that office, back of this incumbency, all the other accounts in that office.

Mr. Davis:—The legislature and this Committee could recommend to have it audited, but we are dealing particularly with Mr Barron's administration, and the mixing of the accounts of other people would impede this matter, and I beg Mr. Hall not to insist on that.

Mr. Hall:—We have got to do it in order to get any idea about it. I don't suppose this system as developed here is satisfactory to any member of this Committee, and we want to go back and see what he found here, and what system was there before, and compare those accounts as found there, with those here now.

Mr. Hill:—You said there were no books turned over to you showing what the parties here were paid, did you take their words for it?

A. Yes, sir.

Q. What they said they were getting?

A. Yes, sir. Mr. Tumlin stayed in there with me a day or two and helped me make out my pay roll. I don't want you to understand me to say he didn't turn any books over to me, but he didn't say, this is my cash book, and this is my other book, but if he said anything about them at all, I don't remember it.

Q. He gave you the names of the laborers around the capitol and what he had been paying them?

A. Yes, sir.

Q. And what he had been paying them?

A. Yes, sir.

Q. Will you give me the bill rendered here, 502, March 16, 1910? (If you can't find it never mind.)

Mr. Davis:—I insist on my motion to have the vouchers of Mr. Barron audited during the time he has been in charge.

Mr. Keith:—I will put the motion. (Which was put and carried.)

Mr. Keith:—I will refer the getting of the auditor, with the power to secure his services and contract with him, the same as they did in securing a stenographer.

Mr. Davis:—I don't see that we can accomplish anything further, and I believe we have got to the initial point, where we can arrive at some conclusion, and I move this Committee adjourn subject to the call of the chairman.

Mr. Pierce:—What relationship have you with R. F. Duckworth and John Lee?

Mr. Hall:—I would like to know how that comes before this Committee.

Mr. Keith:—I should not think that would be a pertinent question.

Mr. Hall:—Unless there is some reason for it I don't want to go into the Duckworth and Lee business.

Mr. Pierce:—My information is that Mr. Watson charged these gentlemen had something to do with Mr. Barron's employment.

Mr. Hall:—Are we going on Mr. Watson's charge at all?

Mr. Pierce:—No, sir, entirely independent. I am informed Mr. Watson says those gentlemen knew of the truthfulness of the matter.

Mr. Keith:—I don't understand Mr. Watson said these gentlemen knew of it.

Mr. Pierce:—I am only asking the question at the request of a gentleman, a member of the House, who is not a member of this Committee.

Mr. Davis:—We have a right to investigate the conduct and official duties of Mr. Barron, and whatever the investigation discloses let us follow the discovery until we reach the end of it.

Mr. Hall:—There is another important matter, in view of the testimony, as to our power. As I understand it we are only authorized to investigate the conduct of the keeper of public buildings. Under his testimony as to the expenditure of this other money by the Governor, I would like to take the sense of the Committee, as to how far we have a right to go into that investigation. It appears that Mr. Barron has no connection with that matter whatever from his testimony that the whole matter was in charge of the Governor. I don't understand from this resolution we are authorized at all to investigate the conduct of the Governor.

Mr. Davis:—I don't see why.

Mr. Hall:—Because the Legislature didn't give us the power.

Mr. Pierce:—I have only the information that Mr. Watson charged we could prove the truth of his charge.

Mr. Hall:—If you have the resolution I would like to have it read.

Mr. Keith:—The secretary of the Committee is not present and he has it.

Mr. Brown:—We might go this far: When we investigate and find Mr. Barron had no connection with that we can stop; however, we will look into the



matter and see whether or not he had anything to do with it.

Mr. Keith:—I understand we are to employ an accountant and report on Mr. Barron's books and expenditures.

Mr. Pierce:—I am not asking the witness anything in reference to the conduct of the Governor but his relations entirely to these two gentlemen.

Mr. Keith:—I don't think those gentlemen are on trial before the Committee.

Mr. Pierce:—If the witness desires to answer it he can do so or not.

Mr. Keith:—He can make any statement he desires.

A. As far as my connection with Mr. Lee I don't know that I have any, any more than I know him and regard him as a friend of mine, as I do Mr. Duckworth.

Mr. Pierce:—Have you ever had any connection with those gentlemen in connection with your office?

A. No, sir.

Mr. Hall:—Did you ever employ anybody at the instance of Mr. Lee or Mr. Duckworth.

A. No, sir.

Q. Anybody on their recommendation?

A. No, sir.

Q. Have you ever bought or contracted any bills with anybody at their suggestion or recommendation?

A. No, sir.

Q. Never contracted any account with anybody on account of their request or recommendation?

A. Not that I recall; I can not recall that either one of them ever mentioned it to me.

Q. How often has Mr. Lee and Mr. Duckworth been in your office?

A. They have been there possibly four or five times in the last year.

Q. Did they or either of them have anything to say to you about the conduct of your business or expenditure of your money?

A. Never.

Q. Do you know whether the men you have dealt with, that they know anything about them at all, or have any connection with them?

A. No, sir.

Mr. Davis:—Have you in your possession the bids offered by the various parties in response to the advertisement for the work and material at the capitol here?

A. Yes, sir.

Q. Why did you award the bids to the parties that did the work?

A. I didn't award the contract.

Q. Who did?

A. The Governor.

Q. And you simply paid the money?

A. No, sir, the Governor paid it; I simply advertised for the bids.

Mr. Hall:—You did not hear his testimony on that point. He has already testified he had nothing to do with it except to advertise for the bids, and that he opened them in the presence of the bidders and the Governor in the Governor's office, and that was his connection with it.

Mr. Brown:—I move we adjourn subject to the call of the Chairman.

(Which motion was put and carried.)

July 18, 1910.

The Committee met in pursuance to the call of the Chairman, Mr Keith, and received the report of the auditor, which is hereto attached, marked Exhibit A.

The Committee adjourned till tomorrow afternoon at 3 o'clock.

July 19, 3 p. m.

The Committee met in pursuance to call of the Chairman and announced that Mr. A. M. Walker, Sr., who had been subpoenaed to appear before the Committee, was present.

Mr. Hall:—I move he be sworn. (Which was done.)

Mr. A. M. Walker, Sr.

Mr. Hall:—Look at that writing attached to that letter here. Did you ever see the original letter of which that is a copy?

Answer: I decline to answer that question.

Q. This letter reads as follows: "Mr. Watson: During the past year, large sums of the people's money has been spent at and on the capitol, in repairs, refurnishings, etc., etc. If you will have the

legislature to appoint a Committee of investigation to look into the affairs and conduct of the office of Keeper of Public Buildings and Grounds, there will be some rich, rare and racy developments, which will show Lee Barron up in his true colors, and prove the unwisdom of Mr. Brown in placing such an irresponsible person in such an important position, just to please Ducky, and the Union City bunch. I would suggest that said Committee ascertain if certain contracts let by said keeper, for repairs and improvements, were not paid for at one price, and charged up to the State, at a much larger figure; or, in other words, if there has not been a collusion between said keeper and said contractors, to the effect that if said keeper would award certain contracts at a certain figure, he would be entitled to, and receive, a certain amount from said contractors. (Don't you see?)

Also let them ascertain if guards, porters, and other employees named have not been kept on the "pay roll" and their salaries drawn regularly—when they were not in the service of the State in any capacity—Coal, wood, water, gas, electric lights and other "bills and contracts" should be fully investigated.

I merely put you on to these things. There is surely something dead up the branch. The water needs to be filtered.

Yours truly

Atlanta, Ga.

Mr. Hall:—Q. Now, Mr. Walker, on what grounds do you decline to answer?

A. I think I have a legal right to decline.

Mr. Anderson:—Did you write a letter of which this is a copy?

A. I decline to answer that question.

Mr. Hall:—Q. Have you ever had any communication with Thomas E. Watson in reference to Mr. Barron, the Keeper of Public Buildings and Grounds?

A. I decline to answer that question also.

Q. You know anything of Mr. Barron's conduct of the office of Keeper of Public Buildings and Grounds?

A. Of my own knowledge I do not.

Q. Do you know anything against him in the management of that office?

A. Nothing whatever.

Q. Have you ever made any charge in your life against Mr. Barron's conduct in his office?

A. I don't know that I could answer that question.

Q. Do you know whether or not you have?

A. I may, and I may not have made it.

Q. If you made a charge of corruption in his office you would have known it?

A. I don't think I have made any charge of corruption against him.

Q. Did you ever write a letter in which you suggested there should be an investigation of his conduct in the office of Keeper of Public Buildings and Grounds?

A. I also decline to answer that.

Q. Haven't you charged, if the investigation was made, there would be some rare, rich and racy developments and show the man up in his true colors?

A. I don't think that I have.

Q. Haven't you criticised the Governor for placing him in an office and placing an irresponsible person in an important position?

A. I may have done so.

Q. If you did you would have known it, wouldn't you? Answer the question whether or not you criticised, in writing, the Governor for placing him in that position.

A. If it is in writing the writing will show it.

Q. You know whether or not it is in writing?

A. I don't know whether I do or not.

Q. You know whether you ever wrote it?

A. I decline to answer that question.

Q. Didn't you suggest that a Committee of investigation—

Mr. Hall:—I object to the attorney being permitted to suggest to the witness—

Mr. Anderson:—I don't know exactly on what grounds the objection is made, but it seems to me we could scarcely refuse to permit a witness to confer with his attorney.

Mr. Hall:—I never knew of such a thing when a witness is on the stand. Of course he can confer with his attorney.

Mr. Anderson:—I don't think any of us ever knew of it before.

Mr. Hall:—I don't object to his conferring with Mr. Womble, but I object to Mr. Womble's sitting there. Look at that letter and state if you didn't write that letter of June, 6, 1910.



“ATLANTA, GA., JUNE 6, 1910.

“GOV. JOSEPH M. BROWN:

“I notice your announcement for re-election in yesterday's Constitution. In your race two years ago I did all that I could for you and in return for time and money spent and services rendered I asked you to give me the appointment of Keeper of Public Buildings and Grounds. You disregarded my application and gave the position to ‘a young man.’ Ignoring the claims of all veterans, in order to endeavor to capture the Farmers' Union influence, and even refused or neglected to return my testimonials after being earnestly requested and promising to do so. I feel that you have treated me unfairly and unjustly, and I shall now do all I can to defeat you.

“Do not flatter yourself with the idea that it was your ability or your popularity which elevated you to the highest position you now occupy—far from it—it was a peculiar train of circumstances and conditions which never existed before in the political history of this State, which have passed away, and the people now fully realize their mistake, which they are anxious to correct.

“I have letters in my possession, which will surprise you, if made public. I shall apprise Thomas E. Watson of all the facts in my possession, and from time to time, you will hear from me, through the city and county press.

“The people of Georgia *will never* honor a man with the highest office in their gift, who is vice-president and a director in a bank that returns its property for taxation at *only* forty cents on the dollar. Selah.

Respectfully,

A. M. WALKER.”

A. I decline to answer that question also.

Q. Is your hand-writing signed to that letter?

A. I decline to answer that.

Q. Did you write that letter to Governor Brown?

A. I decline to answer.

Q. Did you ever suggest a certain contract was made for repairs and improvements that were paid for at one price and charged to the State at a much larger figure?

A. I decline to answer.

Q. Or in other words, there has been a collusion between said Keeper and contractor to the effect if said Keeper would award said contractor the bid he would be entitled to and receive a certain amount of said contract.

A. I decline to answer.

Q. Also any guards and porters and other employees names have been put on the payroll and their salaries drawn when they were not in the employ of the State in any capacity?

A. I decline to answer it.

Q. Have you ever known of any guards, or other employees on the payroll who did not render any service?

A. Of my own knowledge I do not.

Q. Have you any knowledge of it from any one else?

A. I decline to answer that.

Q. Have you ever heard from any one that there were any guards or other employees who were carried on the payroll of the State and who did not render the service for which they were paid?

A. I decline to answer.

Mr. Anderson: Q. Have you any such knowledge of your own?

A. No, sir.

Mr. Hall: Q. Do you know anything in reference to any contract for coal, wood, water, gas, or

electric lights, or any other contract, under the Keeper of Public Buildings?

A. No personal knowledge.

Q. Have you ever heard from any body there was anything wrong with them?

A. I decline to answer.

Q. Have you ever heard it suggested that there was anything wrong in the Keeper of Public Buildings in these contracts?

A. I decline to answer that.

Mr. Anderson: Q. As I understand from your statement and position you have no personal knowledge of your own of any misdoings on the part of the Keeper of Public Buildings and Grounds?

A. No, sir, I have none.

Mr. Hill: Did you refuse to give the name of the party who told you anything about the Keeper of Public Buildings?

A. I didn't say anybody told me.

Q. Would you recognize your hand writing if you saw it? Do you know your hand writing?

A. I write several different styles.

Q. Examine this and see if this is yours?

A. I decline to answer.

Mr. Anderson: Q. Do you know of any person whom this Committee could summon before it who of their own knowledge would testify to anything or any conduct on the part of the Keeper of Public Grounds which would show that he has been guilty of any graft in connection with any repairs or improvements that were done in this capitol building, or that would show he awarded any contract at certain figures and would receive a different amount from the contractor, or who could testify before this Committee that he had guards, porters, and other employees who were paid who were not on the pay-rolls, and also that any purchasers of coal, wood, water, gas, and electric light bill—have you got any knowledge of the names of any persons that this Committee could subpoena before it to establish these things of your own knowledge?

A. No, sir.

Q. Do you know anybody that could give us the names?

A. No, sir.

Mr. Hall: Q. Were you an applicant for the present position of Keeper of Public Buildings and Grounds now occupied by Mr. Barron?

A. I decline to answer that.

Q. Do you know whether you were an applicant or not?

A. The records will show whether I was or not.

Q. Do you know whether you were an applicant or not?

A. I simply decline to answer it.

Q. Do you know your name? (No answer).

Mr. Anderson: Q. Did you make any bid on any contract for any repairs or for coal and water and gas and other supplies furnished to the capitol building?

A. No, sir.

Mr. Hall: Q. Where do you live?

A. I live in Atlanta.

Mr. Hill: Q. Did you ever live in Upson county?

A. Yes, sir.

Q. Mr. Barron also lived up there?

A. I think so.

Q. Do you know Mr. Allen, a member of this Committee?

A. I know him when I see him.

Q. He is sitting over there now?

A. Yes, sir.

Q. Didn't he endorse your application for Keeper of Public Buildings?

A. I decline to answer it.

Q. Can you write?

A. I can when I try.

Q. Can you recognize what you do write—if you write it you don't know whether you did it or not—did anybody write that letter there and you sign it?

A. I decline to answer that.

Q. Have you got an attorney?

A. I don't comprehend your meaning.

Q. Have you got an attorney before this Committee advising with you?

A. Yes, sir.

Q. Has he told you when to decline to answer and when not?

A. Yes, sir.

Mr. Anderson: Q. On what grounds do you decline to answer?

Mr. Hall: I move the Committee go into executive session.

Mr. Hill: I move we excuse Mr. Walker and attorney and then excuse the attorney

Mr. Womble: Mr. Chairman and gentlemen of the Committee, I want to make this explanation in this matter why he declines to answer. You have not got this man on trial at all, and the questions you propounded to him are irrelevant to the investigation that you are under now and irrelevant to the question you propounded to this witness.

Mr. Hall: Who determines that question?

Mr. Womble: Your Chairman and the Committee.

Mr. Hall: I never heard in my life of a witness declining to answer a question because it was irrelevant. You understand your witness, Mr. Womble, is up against a serious proposition; he is in contempt of the House of Representatives, and that body has the power to imprison the witness just as a court has.



We do not want to go to extremes, but unless these questions are answered the House has the authority to confine this witness in jail for the balance of the session.

Mr. Womble: I don't think the witness is in contempt of this Committee or of the House for these reasons: Who are you investigating? You are investigating the acts and doings of Mr. Barron. The question is propounded by Representative Hall in this case and does not illustrate this issue in the least.

Mr. Rosser: Hasn't every question been upon the conduct of Mr. Barron?

Mr. Womble: Possibly as to the writing, but I want to state this in reply to the gentleman, while this question is propounded from Mr. Hall I say it is immaterial to the issue.

Mr. Rosser: Who determines that?

Mr. Womble: This Committee, and whether or not Barron is guilty of the charges made in this case.

Mr. Boyd: You recognize the authority of this Committee to examine any witness in this matter?

Mr. Womble: I recognize this Committee has authority to examine any witness according to the principles laid down, and they may do so.

Mr. Rosser: Who determines that?

Mr. Womble: The law.

Mr. Boyd: We could examine any witness in the State that knew anything about Mr. Barron's office?

Mr. Womble: Yes, sir.

Mr. Boyd: Are not all these questions directly touching the conduct of Mr. Barron?

Mr. Womble: No, sir, because the only questions that you can go into and go by would be the vouchers and acts and records in Mr. Barron's office.

Mr. Hill: You mean to say we cannot ask him if he brought any charges against Mr. Barron?

Mr. Womble: He does not admit that.

Mr. Hill: We have a witness to prove his own hand-writing.

Mr. A. M. Walker, Sr.: I would like to make this statement; in my answers I have not had any intention of placing myself in contempt of the Committee or the House of Representatives, and I would not do anything knowingly wrong.

Mr. Keith: The Chair would be obliged to hold the witness could not be compelled to answer any questions that would incriminate him.

Mr. Hall: I move we go into executive session. (Which was carried, and the Committee went into executive session).

#### EXECUTIVE SESSION OF COMMITTEE.

Mr. Hall: This is a serious matter and I am sorry for this man. He has put himself in a serious position, but I think with these charges he would have a right to have the questions asked him and we have a right to have the questions answered, and it is up to this Committee to send for him and notify him what the consequences are. I don't suppose any member of the Committee considers for a moment the objection made by his attorney, and I move we send for the witness and notify him we will have to bring the matter of his contempt to the attention of the House

Mr. Anderson: I appreciate the views expressed by the gentleman from Bibb, but it seems to me we ought to go rather slow about this business of bringing this witness back and forcing him to answer. This witness has testified here before us that he has no personal knowledge of anything in the shape of graft or wrong doing.

Mr. Hall: He said he had heard it.

Mr. Anderson: When I asked him the question he said he had no personal knowledge of wrong or

graft, and I asked him the question, do you know the names of any person whom this Committee could summons as a witness who could prove to us these things, and he said, no, he did not. Now, I think all we can get out of this witness we have gotten out of him. I feel as the rest of the gentlemen, that the witness has not been frank with this Committee and that he has not acted properly before the Committee. He is the man that wrote the letter, and he is the man that applied for the position, and he is the man who bid on these contracts, because I have information to that effect.

Mr. Hall: Where did you get that from?

Mr. Anderson: I got it. I asked him if he made a bid on the contracts and he said he did not, and my information is that he was a bidder and then threatened to write up the whole business, and it looks to me as though this witness has gone back on his statement, and it seems now he has no knowledge of his own.

Mr. Boyd: I, like the other members of the Committee, don't know what procedure we are to follow, but it does strike me a Committee appointed to investigate a matter of this kind has certainly as high a dignity as a Justice of the Peace, and in asking a question of this witness which is absolutely material in the investigation, and the witness declines to answer it, it is up to the Committee to say whether or not they have not got the power or desire to force

answers when a witness simply sits down and refuses to give any testimony. I don't like to be on a Committee if we haven't got any power to do anything.

Mr. Keith: Could we afford to make him answer questions that would incriminate him before a trial court.

Mr. Boyd: I don't think so. He don't put his refusal to answer on that ground. He puts his refusal to answer on the ground it was immaterial. I don't think that we can compel a witness to testify to anything that would incriminate himself, but he don't put it on that ground.

Mr. Anderson: All that I have to suggest is this, if our record shows this man testified he has no personal knowledge of any of these matters and he don't know anybody who has, then I think we want to be dead sure what we are doing before we go ahead. I think he ought to be punished, but if he has testified to that as a witness, that is all we can get out of him.

Mr. Davis: I am not a lawyer, but simply a layman, but the way it looks to me is that this Committee has fulfilled its mission, and I think we have gone as far as the circumstances will warrant it.

Mr. Hall: This Committee determined at its last meeting that it would examine each one of the employees on these payrolls. The Committee resolved on that at the last meeting, and I see a statement in

the paper this afternoon where Mr. Watson says we are dodging the issue.

Mr. Davis: As far as I am concerned, Thomas Watson's suggestions or threats have no weight on me. I want to discharge my duty as a member of this Committee.

Mr. Hall: I move the witness be brought back, and that he be prompted and informed of the action of the Committee, and if his attorney wants to consult with him he can go outside or call him aside and do so, but I object to the attorney sitting by the witness and telling him what to say.

Mr. Rosser: I second the motion. (Which motion was carried).

Mr. Brown: The investigation here is like a court, a man is not compelled to answer anything that would incriminate himself.

Mr. Keith: I have ruled that.

End of executive session.

A. M. WALKER, SR., re-called:

Mr. Keith: Mr. Walker, the action of the Committee is that they object to Mr. Womble prompting and answering for you or sitting by you while you

are being examined. You can consult with him any time you desire.

Mr. Womble: The Committee rules the attorney cannot make objections to questions asked?

Mr. Hall: No, the attorney has a right to make objections.

Mr. Keith: The Committee don't think you have a right to answer questions for the witness. I will also state, Mr. Walker, the Chair has ruled you cannot be forced to answer any questions that would incriminate you on the trial of a case in court.

Mr. Hall: I will ask you again, now, did you ever see the original letter of which that is a copy?

Mr. Womble: I object to that. If this is a copy of the original you can get the original before the Committee.

Mr. Keith: I should think they would have a right to ask him the question if he wrote a letter of which that is a copy.

Mr. Hall: Answer the question. Look at that letter and see if you ever saw a letter of which that is a copy.

Mr. Womble: The objection is interposed as I stated.

Mr. Hall: Did you ever see the original letter of which this is a copy that has been shown you and which you have read?

Mr. Womble: I object to the question for this reason, that this is only a copy, if a copy at all, and the original is undoubtedly in the possession of Mr. Watson, and it can be secured from him by a subpoena duces tecum, and for that reason I object to it.

Mr. Keith: The Chair rules the question is pertinent.

Mr. Hall: Have you ever seen the original letter of which that is a copy?

A. I have.

Q. Who wrote it?

A. I did.

Q. You charge in that letter that large sums of the people's money have been spent on the capitol repairs, etc?

A. I did not make any charges. I never intended it as a charge and merely suggested what the letter said.

Q. Have you any knowledge of any facts that show it was unwise on the part of Governor Brown



in placing such an irresponsible person as Mr. Barron in an important position?

Mr. Womble: I object.

Mr. Keith: I will overrule the objection.

Mr. Hall: Q. Have you got any facts to show the Governor placed an irresponsible man in that position?

Mr. Womble: I object to that.

Mr. Keith: I will rule the question is pertinent, as the witness stated he wrote the letter of which this is a copy.

Mr. Brown: I don't know Mr. Walker, but that appears to me to be merely an opinion.

Mr. Hall: I want to know the facts on which it was based. Did you know any facts on which you based this statement on? What facts did you base that statement on, that Mr. Barron was an irresponsible person appointed by the Governor to an important office?

Mr. Womble: I object to that.

Mr. Keith: I will overrule the objection.

Mr. Hall: State the facts that you based that statement on.

A. I don't know that I can state any facts.

Q. You know of no facts going to show that he is an irresponsible man?

A. I don't know that I do.

Q. None in your knowledge?

A. No, sir.

Q. Do you know whether he was placed there to please Mr. Duckworth and the Union City bunch?

Mr. Womble: I object to that.

Mr. Keith: I think that if he can give any light on it he can do so.

Mr. Hall: I will withdraw the question. Did you state that a Committee or suggest that a Committee ascertain if certain contracts were made by said Keeper for repairs and improvements were not paid for at one price and charged up to the State at a larger figure?

Mr. Womble: I would like to sit by Mr. Walker, but not to tell him what to say, but in order to expedite this matter.

Mr. Keith: You hear the request, gentlemen.

Mr. Hall: I object. You have admitted that you made these charges and wrote this letter?

A. You understand that was not intended when that letter was written as making charges, but merely as suggestions.

Q. We are not trying you and we want to get from you what you based the charges on so as to give us some means, if there is any ground for investigating them, to get at them.

A. And I told you before I have no personal knowledge.

Q. The charge is made that certain contracts were let by said Keeper for repairs and improvements and were paid for at one price and charged up at a much larger figure. Did you have any personal knowledge of the truth of that charge?

A. No, sir

Q. Was it based upon anything you heard from anybody?

A. It was based on what I had seen from the papers and general talk about town.

Q. Do you know of any persons that you ever heard make the charge?

A. I never heard any charge made

Mr. Womble: I object to that as heresay.

Mr. Hall: Mr. Womble, this is not a court, but an investigating Committee. We are not trying the witness, but simply trying to find if there was any foundation for this charge so we could run it down and get at the bottom of it.

Mr. Womble: There are rules laid down, and I never heard of a rule that you could go into testimony by heresay testimony in any court or investigation or anything else.

Mr. Hall: Can you recall the name of a single person that ever said these contracts were let at one price and paid for and charged to the State at another?

A. I cannot now.

Q. You do not recall the name of a single person you could give to the Committee?

A. No, sir.

Q. Can you recall ever hearing anybody say that distinctly that these contracts were let at one price and charged to the State at another?

A. No, sir, I don't know that I can.

Q. Do you know of any collusion between the Keeper of Public Buildings and these contractors to

the effect that if said Keeper would award certain contracts at a certain figure he would be entitled to and receive a certain amount from them?

A. No, sir.

Q. Did you ever hear anybody make any such statement?

A. I don't know that I have.

Q. Can you recall any person that you ever heard say so?

A. No, sir.

Q. Have you any reason to believe any such thing was done?

A. I don't know that I have.

Q. Why did you make the statement?

A. I would like to state those statements were made, not as charges but merely as grounds for an investigation on the enormous expenditures as reported through the press and talked here in town at the capitol.

Q. Who talked it?

A. Just common street talk, I heard it a number of times.

Q. You do not recall anybody you heard talk it?

A. No, sir, and I cannot say what papers that I saw it in. I saw several articles in regard to the expenditures in the press.

Q. You say "let the Committee ascertain if guards, porters and other employees have not been kept on the payroll and their salaries drawn, regularly, when they were not in the service of the State in any capacity." On what was that statement based?

A. I don't know that I could explain to you.

Q. Do you know of any guard or porter or other employee that has been kept on the payroll when they were not in the service of the State in any capacity?

A. I don't know of any.

Q. Have you ever heard any such thing?

A. I have heard it talked.

Q. Who talked it?

A. I cannot give you their names—I don't know their names.

Q. You know anybody at all that you could sug-

gest to the Committee, any person who could give us any information on that subject?

A. No, sir.

Q. You say you heard it talked at the capitol here?

A. Yes, sir.

Q. In the building?

A. Yes, sir.

Q. Where were you when you heard it talked?

A. Different places—I heard it talked in front of the Treasurer's office.

Q. Who was present?

A. I don't think anyone except the man that I was talking to.

Q. Was that Peter?

A. No, sir, a white man.

Q. Who was he?

A. I don't know his name.

Q. Did you ever see him before?

A. Yes, sir, many times.

Q. Would you know him again?

A. I don't know.

Q. Was he an employee here in the capitol?

A. As a guard, I think.

Q. When was that?

A. Before Mr. Barron came in.

Q. Before Mr. Barron came in?

A. Yes, sir, or afterwards, I don't know which. I am not positive whether it was before or after.

Q. He couldn't make the charge against Mr. Barron if Barron was not here?

A. I told you he made no charges against Mr. Barron.

Q. Your letter made these charges.

A. No, sir, it was merely intended as suggestions.

Q. You don't know whether it was before or after Mr. Barron came in that you heard this thing was done?

A. No, sir.



Q. About what time was it?

A. About that time.

Q. Was it Mr. Tumlin?

A. No, sir, it was not him.

Q. What were you talking about?

A. Just of general matters here in the capitol.

Q. Mr. Tumlin was Keeper then?

A. Yes, sir.

Q. You don't know whether he was talking about Tumlin or Barron, the man that you were talking with?

A. No, sir, my memory is treacherous in that way. I cannot remember dates.

Q. But he was an employee himself at that time and a guard?

A. Yes, sir.

Q. What did he say?

A. My recollection is that he told me that there were guards and porters kept on the payrolls here that were not in the service of the State.

Q. Did he mention the names of any that you recall?

A. No, sir.

Q. Did he mention any number of them?

A. No, sir.

Q. He didn't say how many there were?

A. No, sir, or how few.

Q. Is that the only man that you ever heard talk it?

A. No, sir, I have heard intimations from other parties, but I cannot recall it now.

Q. Was that some one else in the capitol?

A. I wouldn't be positive whether it was here or elsewhere.

Q. Do you know anything about any contracts for coal that he has made?

A. None whatever, I know nothing of any contracts for anything that he has made.

Q. Did you ever hear anything about any contracts that he made for coal or wood or water or gas and electric lights, or any other bills and contracts?

A. No, sir.

Q. You never heard anything wrong about those?

A. I don't think I have.

Q. From anybody?

A. I don't think I have.

Q. Have you ever made any bids?

A. None at all.

Mr. Womble: Objection is made to all this as heresay testimony.

Mr. Hall: Didn't you make a bid to do any of this work on the capitol?

A. No, sir.

Q. Do you know anybody that did?

A. No, sir.

Q. Or whose bid was refused?

A. No, sir.

Q. You made application for the position of Keeper of Public Buildings and Grounds?

A. Yes, sir.

Q. You were refused?

A. Yes, sir.

Q. When did you make it?

A. I couldn't give you the date.

Q. State if you wrote that letter.

A. Yes, sir.

Q. This is your handwriting in this letter to Governor Brown?

A. Yes, sir.

Q. Did you write that letter before or after you wrote this letter to Mr. Watson?

A. That letter was written before, as the dates will show.

Q. Why did you write this letter to Mr. Watson without any information whatever, making these serious charges of corruption against a public officer?

Mr. Womble: The response goes in under objections and he answers it under protest.

Mr. Hall: Why did you make these charges if you had no information on which to base them of corruption against a man in office?

A. I have stated several times they were not made or intended as charges. I state that as preliminary to what I will say now. I had been requested by Mr. Watson that if I could get anything or suggest anything that would give him ammunition against this Union City bunch to do so, and under the influence of that letter I wrote suggesting that he investigate this matter.

Q. Have you got that letter from Mr. Watson?

A. I may have it at home.

Q. That was the effect of it?

A. Yes, sir.

Q. Who do you mean by the Union City bunch?

A. I suppose Mr. Barron was one of them. I will state further, Mr. Watson a number of times in his paper had spoken of those parties as the Union City bunch.

Q. You referred to one as "Ducky," who was that?

A. Mr. Duckworth.

Q. Who were the others?

A. I suppose Mr. Duckworth and Mr. Barron and Mr. Lee. That was my idea.

Q. And that was the motive that prompted you to write the letter?

A. Yes, sir.

Q. You never intended to make these charges against Mr. Barron?

A. No, sir.

Q. You never expected that letter to be presented to the General Assembly?

A. No, sir, I expected if there was anything in them Mr. Watson would get at it in a private way and see if there were any grounds for it.

Q. You never intended those charges should be made public?

A. No, sir, I marked my letter on the left hand corner of the envelope "Private and Personal," and then that was on the envelope and in the letter I wrote just above the name "Strictly Confidential."

Mr. Hill: Q. In other words, you made the charges privately which you did not dare to make publicly?

A. I did not make any charges at all.

Mr. Hall: Q. I understand the letter that you

wrote, of which this is a copy of the one you sent Mr. Watson, was marked "Strictly Confidential."

A. Yes, sir.

Q. And it was never your purpose to expose that to anybody?

A. No, sir, it was intended for him and him alone.

Mr Hill: Q. Did Mr. Watson first write you or you him?

A. I cannot say that.

Q. Do you mean to say Mr. Watson wrote you in regard to Mr. Barron?

A. He wrote me in regard to the Union City bunch.

Q. Mr. Barron didn't live at Union City?

A. No, sir, but he is considered one of them.

Q. Did Mr. Watson first write you or you to Mr. Watson?

Mr. Womble: I object to that, as the letters will show and it has been answered.

Mr Hall: You state in your letter to the Governor—

A. That has no reference to this matter at all.

Q. You say here "I have in my possession letters which will surprise you if made public and I shall apprise Thomas E. Watson of all the facts in my possession, and from time to time you will hear from me through the city and county press."

A. That had nothing to do with this matter; that refers to another thing.

Mr. Keith: You didn't have this controversy in mind at all?

A. No, sir, it was an entirely different matter.

Mr. Hill: Was this letter here that you wrote to Mr. Watson dated before or after the letter that you wrote to the Governor?

A. The dates will show

Q. You say in this letter here "I shall apprise Thomas E. Watson." Was that at Watson's request or your own idea?

A. I have already stated plainly that had no reference whatever to the Barron matter.

Q. Are you a correspondent of Watson's paper?

A. No, sir.



Mr. Womble: I object to that as irrelevant.

Mr. Hill: Are you and Mr. Barron on friendly terms?

Mr. Womble: I object to that as irrelevant.

Mr. Keith: I will rule the question relevant.

Mr. Hill: What is the state of your feelings towards Mr. Barron?

A. I have nothing against him whatever, and for your information I will state we have been on friendly terms.

Q. And are now?

A. No, sir, I met him this evening and he passed and didn't speak to me.

Mr. Keith: You have no ill will towards him?

A. No, sir.

Mr. Hall: I move now that Senator Womble be heard from if he desires.

Mr. Womble: Mr. Chairman and Gentlemen of the Committee: I want to state to you Mr. Barron is a resident of my county and we have been raised together, practically, in the same community, and I

know him; and Mr. Walker lived in my county, and I wanted the truth to be known in this case, but as to the legal phraseology of this case, and no one knows it better than Judge Hall, that I came in as the representative of the witness that in the future he might be protected, and that is my position now, and I think it has been well gone into on that line.

I want to state you have the facts in this case as he states them, which I knew of, but at the same time I knew your Committee had to go into executive session and compel him to answer these questions and until that time I stood by him as his attorney, as his protection to the courts of our State should be maintained.

Mr. Hall: And you advised him to answer the questions when he came back?

Mr. Womble: Yes, sir, and now so far you have got the truth from this witness, and if you want it further you can get additional matter.

Mr. Hall: Mr. Walker is there any other fact that you know?

Mr. Walker: No, sir, I don't know that there is.

Mr. Hall: Is there anything else you want to state?

Mr. Womble: Now, as to Mr. Barron, I believe this as to him and what I know of him, that every-

thing on his books and vouchers will be found straight and square, because I have known him a long time.

Mr. Hall: We have a report here to that effect.

Mr. Womble: I am glad to know it.

Mr. Hall: Is there anything else Mr. Walker you desire to say?

Mr. Walker: I will state this: It was never my idea or intention to bring any charges against Mr. Barron. I knew nothing, as I said in the beginning of the investigation, of my own personal knowledge, but being requested by Mr. Watson to furnish him any ammunition that I might think would be valuable, it suggested the writing of that letter, and my idea was if on my suggestions, if you will read that letter you will see it starts out by saying "I suggest," and I thought he would get some friend in the Legislature, or some member of this Committee to look into the matter and see before making it public, or any todo over it as to whether or not there was anything wrong. I have seen in the papers exorbitant statements as to repairs and costs, and that led me to think if it was investigated he might get what he was hunting for, and that was the reason why I wrote the letter, not that I intended, and never have intended, to prefer or make any charges against Mr. Barron, but merely put him, as I stated in the letter, on to these suggestions that he might take hold of the

matter in his, Watson's way, and look into it and see whether or not there was anything wrong.

Mr. Keith: And you marked the communication "Personal and Private?"

A. Yes, sir.

Mr. Hill: The same motive prompted you in writing the letter to the Governor of June 6th?

A. It did not.

Mr. Womble: Now, you all have seen my purpose in this matter and I want the proofs in this matter. I wanted it in behalf of Mr. Barron because he was my home man, more so than this man here (Walker) because he was raised in my county and I advised him (Walker) what to do as his attorney, and I believed when he declined to answer these questions that you would go into executive session and your Committee would require him to answer these questions, as you have done, and when you have done that I think you have done your full duty, and in order for Mr. Barron to be exonerated this is the only way that you could have done it.

The Committee went into executive session and on motion of Mr. Hall a sub-committee was appointed by the Chair to draft a report to be submitted to the whole Committee to be presented to the House of Representatives.

The Chair appointed as the sub-committee Messrs. Hall, Hill, Rosser and Brown.

The Committee adjourned to meet on the call of the Chairman.

JULY 22, 1910.

GEORGE TUMLIN, SWORN :

Mr. Anderson: When did you become Keeper of Public Buildings and Grounds?

A. June 29, 1907.

Q. When you went in your office did you find the record of expenses had been kept in this book marked Public Buildings and Grounds?

A. I found it on a table lying in the office.

Q. You noticed your predecessor kept a record of his vouchers and expenses in this book?

A. Yes, sir.

Q. And you started on July or in July 1907 and used the same book and at the end of July you discarded that book and transferred your July account and kept your other account in the voucher book?

A. Yes, sir, this is the system I adopted.

Mr. Hall: You adopted that yourself?

A. Yes, sir.

Q. Each man makes his own system?

A. Yes, sir; and every dollar that I spent there is a receipt for it. This is my cash book which corresponds with every voucher in there, and Mr. Hitt took my check book and vouchers and checked me up. Those leaves that are torn out there were torn out by me in making my report, as I had discarded the book.

Q. The leaves that were cut out were blank leaves?

A. Yes, sir.

Mr. Keith: Some of those leaves had been cut out before you got into office?

A. Yes, sir. I transferred my account from the book where the leaves are cut out to the check and voucher book, and here are all of them here in the receipt book.

Mr. Hall: Look over that lists of payroll of Mr. Barron and see if the salaries now being paid are the same as when you were in office?

A. When I came here Mr. Hall was paying the negroes as much as the white guards and I changed that; he was paying the porters ten dollars a week

and cut the negroes' salaries five dollars a month and put it on to the white guards, making fifty dollars for the white guards, and the Captain of the guards sixty dollars, and Mr. Barron is paying the same to the guards and porters that I paid.

Q. As I understand the system adopted in the office when you came here was for the Keeper of Public Buildings fixed the pay of guards and porters?

A. That was my understanding. I consulted Governor Smith about it.

Q. But still you fixed it?

A. Yes, sir, I fixed it myself, and I called Governor Smith's attention to the negroes getting as much as the white men.

Mr. Keith: What were the negroes getting when you came in?

A. Forty-five dollars, and I reduced it to forty dollars a month, and increased the whittess from \$45.00 to \$50.00.

Mr. Anderson: Look over that list and see whether or not there are any more guards and porters employed now than what you had?

A. I have five all the time, and during the Legislature I had six.

Q. What?

A. Five guards all the time.

Q. How many guards has Mr. Barron?

A. Five.

Q. What about the other people there, the watchmen and porters?

A. The watchmen and guards are the same thing, two night men and three day men.

Q. The man at the treasurer's office is a guard?

A. Yes, sir.

Q. You paid the same thing to the guards that Barron does?

A. Yes, sir.

Q. And as to the negroes they are porters?

A. Porters and laborers.

Q. And you paid the same thing Barron pays?

A. Yes, sir.

Mr. Hall: These porters are employed by each one of the departments?



A. Yes, sir, that is a privilege left to them, at the same time I understood the Keeper of Public Buildings had a right to discharge them at any time, which I did.

Q. But the custom is to allow the porters to be employed by the departments?

A. Yes, sir.

Q. How did you pay the servants at the mansion when you were here?

A. I sent the money up there in an envelope and each servant's name was on the envelope and the amount due him, and I sent the payroll up there with the names and amount opposite each and each servant signed the payroll, and Mrs. Smith signed it as a witness.

Committee adjourned subject to call of Chairman.

JULY 26, 1910.

M. H. DOUTHIT, sworn:

Mr. Pierce: Q. Are you connected with the firm of Davison-Paxon-Stokes Co.?

A. Yes, sir.

Q. Did you have any connection with the bids made by your firm on specifications furnished by Mr.

Barron for certain material to repair the House and Senate?

A. Yes, sir.

Q. Is that a copy of the specifications furnished you?

A. Yes, sir.

Q. Are those such specifications as any up-to-date, modern manufacturing concern handling carpets could have complied with?

A. Yes, sir.

Q. That represents your bid on the contract?

A. Yes, sir.

Q. From those specifications you understood what they wanted?

A. Yes, sir.

Q. You submitted a sealed bid?

A. Yes, sir.

Q. That was opened in the presence of the Governor?

A. Yes, sir, and in the presence of all the carpet men; we were all there in a body.

Q. Was Mr. Barron also present?

A. Yes, sir.

Q. Did Mr. Barron know anything about what your bid was?

A. No, sir.

Q. Did you help get up these specifications?

A. There were several of us, I think, most of the carpet men that came over here and talked the matter over about the different things to be used, so we could bid on the same thing.

Q. From the information furnished you did you, or any other bidder, have any advantage?

A. No, sir; there were several of us that made suggestions to Mr. Barron as to certain kinds of carpets.

Q. That was before the specifications were formulated?

A. Yes, sir.

Mr. Brown: Q. Did you have any understanding amongst yourselves on which certain ones would bid on certain portions of the work?

A. No, sir.

Q. Neither one of you knew what the others were bidding?

A. I did not know what any of the others were bidding, and I don't suppose they knew what we were bidding; they did not to my knowledge.

Mr. Keith: Q. It has been charged that Mr. Barron got a rake off; there was nothing of that kind that you knew anything about?

A. No, sir, I know he got the carpet much cheaper than we would have been willing to furnish it.

Q. Your bid did not include a rake-off?

A. No, sir.

Mr. Pierce: Q. Your bid was about \$2,000 more than the lowest bidder?

A. About a thousand. If anybody got a rake-off it must have been the State.

J. B. ROBBINS, sworn:

Mr. Pierce: Q. Were you connected with the firm of J. M. High & Co. about February 15, 1910?

A. Yes, sir.

Q. Did you have any connection with the bid or specifications made out by Mr. Barron?

A. Yes, sir.

Q. Did you obtain a copy of them for the purpose of bidding on the contract?

A. Yes, sir.

Q. Did you help furnish the information from which these specifications were formulated?

A. Yes, sir.

Q. Did your house make a bid?

A. Yes, sir.

Q. Is that the bid your house made?

A. Yes, sir.

Q. Were those such specifications as any well equipped, up-to-date carpet establishment could have complied with?

A. Yes, sir.

Q. How did you bid on this work, to furnish the carpet and such other things specified?

A. A complete job, as required by the specifications.

Q. To whom was your bid delivered?

A. First, I think, to Mr. Barron and it was handed to the Governor sealed.

Q. And that bid was opened when the other bids were opened?

A. Yes, sir.

Q. Did you have any inside information other than what was contained in your bid?

A. No, sir.

Q. No private information of any kind?

A. No, sir.

Mr. Keith: Q. There was not a rake-off or rebate figured directly or indirectly for Mr. Barron?

A. There was not. There was a party that came and made the statement that he would take the job for 10 per cent more than the lowest contractor, and that he could get the contract or bid.

Q. Who was that?

A. A gentleman who was to take it for 10 per cent. less and get the order for 10 per cent. more than the amount of the bid if we would give him the bid.

Q. Who was that ?

A. I don't know who he was.

Q. Was that subsequent to the filing of the bid ?

A. Yes, sir.

Q. What is that statement ?

A. He agreed to take the order for 10 per cent. more than the lowest bid if we would give him our bid and we would get the order.

Q. He said he would get the order if you would have the bid ?

A. Yes, sir.

Q. Was that after you made your bid ?

A. No, sir.

Q. You don't know who that was ?

A. No, sir, he didn't talk to me, he talked to Mr Goldsmith.

Q. Does Mr. Goldsmith know the person ?

A. Yes, sir, I think so.

Q. What are Mr. Goldsmith's initials ?

A. H. M. Goldsmith, and he lives at 448 Washington street.

Q. What was your firm to get out of it?

A. I don't remember, they were to get something out of it. We didn't put any credit in his proposition or consider it.

Q. Did Mr. Barron make that proposition to you?

A. No, sir.

Q. Anybody around the capitol?

A. No, sir.

Q. Did the gentleman state the proposition came from Barron?

A. No, sir.

Q. When was this proposition made?

A. I believe the day before the bid was to be submitted.

Q. You hadn't submitted your bid at that time?

A. No, sir.

Q. And he said if you wouldn't bid that he would



get the contract for 10 per cent more than the lowest bidder?

A. Yes, sir.

Q. Do you know anything that would throw any light on this investigation of the charge of Mr. Barron having received rebates for the purpose of securing the contract?

A. No, sir. Mr. Goldsmith spoke to the Secretary and Treasurer, Mr. G. C. Jones, and they conferred over the matter.

Q. Over that proposition?

A. Yes, sir.

Q. Who of your firm, other than the gentleman named, saw this person there?

A. I don't know whether Mr. Jones saw him or not; he was there twice I believe.

Q. Mr. Hill: Q. Did he say this same proposition had been made to the prospective bidders?

A. No, sir, not that I know of.

Q. Did your firm do the work?

A. No, sir.

Q. Why didn't your firm accept the proposition?

A. They didn't consider it reliable and didn't care to go into that kind of a deal.

Q. He said if you wouldn't bid he would get it for 10 per cent. more than the bid, and you could do the work?

A. Yes, sir.

Mr. Rosser: Q. And he felt sure he would get the job?

A. Yes, sir.

Q. He spoke with authority like the chief priest and elders?

A. He spoke like it.

Q. What inducement did he offer you for you to stay out?

A. Nothing but a courtesy.

Q. Was there anything that came from Barron directly or indirectly?

A. No, sir.

Q. You don't know whether the gentleman who made this proposition was representing Barron or some one else?

A. No, sir.

Q. You don't know the party?

A. No, sir.

Q. Does he live in this vicinity?

A. I don't know where he came from.

PERCY RICH, sworn.

Mr. Pierce: Q. Are you connected with the firm of Rich Bros. & Co.?

A. Yes, sir.

Q. Did you help furnish certain information to Mr. Barron in regard to the carpet here at the capitol from which he got up specifications?

A. I was in the room when it was done.

Q. Did you make a bid on it?

A. Yes, sir.

Q. Where did you get your copy of specifications from?

A. It was mailed to me by Mr. Barron.

Q. Is that a copy of it?

A. Yes, sir.

Q. Are those such specifications that any carpet house could have complied with?

A. Yes, sir.

Q. Did you have any other information other than this?

A. No, sir.

Q. How was your bid submitted?

A. In writing, and sealed up.

Q. Is that the original bid?

A. Yes, sir, this is the original bid delivered to Mr. Barron and opened in the Governor's office.

Q. Did you pay anything for those specifications?

A. No, sir.

Q. Did anybody try to keep you from bidding after you procured the specifications?

A. No, sir.

Q. Did anybody give you any information as to how to bid?

A. No, sir.

Q. Did you know what bids others were making?

A. No, sir.

Mr. Keith: Q. No discount or rebate was figured directly or indirectly for Mr. Barron?

A. No, sir.

Q. How much was your bid more than the others?

A. I think about five hundred dollars, we were about the middle man in the contract.

Mr. Jones: Q. Was there any effort from Barron, directly or indirectly, as to any rebate in case you received the contract?

A. No, sir.

Q. No intimation from him?

A. No, sir.

Mr. Rosser: Q. Who told you to give the bid to Barron instead of the Governor?

A. Mr. Barron said he was to get the bids and take them to the Governor.

Q. Were all the bids opened in the presence of each of the bidders?

A. Yes, sir, all of the bidders were present with Mr. Barron and the Governor.

Q. You were all present when the bids were opened?

A. Yes, sir.

E. S. KENDRICK, sworn.

Mr. Pierce: Q. Were you connected with the firm of Chamberlin-Johnson-DuBose Co. about Feb. 15, 1910?

A. Yes, sir.

Q. Did you ever go into a consultation with the various carpet men and Mr. Barron here at the capitol whereby specifications were perfected as to the furnishing of the carpets?

A. Yes, sir.

Q. Did you bid on the contract?

A. Yes, sir, I assisted in it.

Q. Have you ever seen a copy of those specifications before?

A. Yes, sir, those are the ones.

Q. Who formulated those specifications?

A. I assisted in doing it, and I think they were drawn up in our office one day; Mr. Barron asked me to help them do it and to tell him what would be right, and he copied off the specifications and sent them to the different bidders.

Q. When were those specifications gotten up?

A. Two days before the bid was put in. I forget the date.

Q. When did you receive your copy of the specifications, then and there?

A. I am not sure but what he left me one and took the duplicate, but if he did not he mailed it the next day I should say.

Q. How was your bid submitted?

A. It was a sealed bid brought here and handed to Mr. Barron and submitted with the others.

Q. Who was the representative of your firm carrying on these transactions with Barron?

A. I assisted in the sale, and Mr. Jones, the manager here, made the price and figures, but we were both here at the opening of the bids.

Q. When did you figure these prices the first time, when Barron was making up the specifications?

A. We did not make any price at all.

Q. Were any prices furnished Barron while the specifications were going on?

A. No, sir, we hadn't measured the room then.

Q. At that time you didn't know the number of yards in the room?

A. No, sir.

Q. Were you in any better position at that time to know what was wanted and necessary to fit those rooms than any other firm?

A. Not at all.

Q. Were you present with these other carpet men at the time the specifications were formulated?

A. We were not in a party; we came along and Mr. Barron had to show us the room to be measured.

Q. Did you see that bid before it was submitted?

A. I don't think that I did; I would say no.

Q. Was there any influence brought to bear on you to make the bid other than the fact stated in the specifications?



A. No, sir, not at all; in fact I didn't make the bid; Mr. Jones made the bid.

Q. So far as you know was there any inducement brought to bear to make you make the bid?

A. No, sir.

Q. Did you offer any inducement to Barron to furnish you any information before or after the bid was submitted?

A. No, sir.

Q. Have you, directly or indirectly, paid anything for the acceptance of your bid to Barron?

A. No, sir, nothing of the kind ever suggested.

Q. Have you ever been approached by anyone not to bid at all?

A. No, sir.

Mr. Barron: Q. The question has been asked if I furnished any information at all; I want to ask you and Mr. Kendrick if there was any information that I could furnish except what is included in the specifications?

A. No, sir; I wish to say this much, Mr. Barron assumed nothing about carpets or the kind or price or quality of carpets, and he said he could take no

steps without the advice of the Governor, and we did not deal much with him, but all of our dealings were done directly with Governor Brown.

Mr. Pierce: Q. Do you know anything about the acceptance of your bid or the rejection of any other bids?

A. Only that I was present when the Governor read them all out to us.

Q. I mean other persons than the Governor?

A. No, sir, it was necessary to keep away from other people because we were figuring for the job.

Mr. Jones: Q. Did your firm have knowledge of any other man's bid?

A. No, sir.

Q. Did you offer Barron, or any other person for him, directly or indirectly, anything to know anything about it?

A. No, sir.

Q. There was nothing of that kind occurred?

A. No, sir.

Q. Your bid was the lowest?

A. Yes, sir.

Q. And submitted and opened in the presence of the other bidders?

A. Yes, sir, all the bidders were present and they were opened and read in our presence, and when the Governor read them out Mr Barron stood by.

G. H. JONES, sworn.

Mr. Pierce: Q. Were you connected with the firm of Chamberlin-Johnson-DuBose Co. on the fifteenth of February, 1910?

A. Yes, sir.

Q. Did you ever come to the capitol here in company with Mr. Barron and ascertain what was necessary to carpet the Senate and House?

A. No, sir, I didn't come to see about it, Mr. Kendrick came over.

Q. Did you ever see a copy of those specifications?

A. Yes, sir.

Q. Were those specifications such as any well equipped, up-to-date furniture house could have complied with?

A. Yes, sir.

Q. Where did you obtain those specifications from?

A. I don't remember exactly just where I got it, whether Mr. Kendrick brought it in and gave it to me or not.

Q. Were you present when these were drawn up and formulated in the store?

A. Yes, sir, I did it.

Q. Was there anything mentioned about the price of these goods?

A. No, sir.

Q. Why were they drawn up in your store?

A. The different ones, I think, had talked it over as to what material they would use and the different fabrics, and I don't know why they were drawn up there.

Q. When Mr. Barron came did he have any data as to what he wanted?

A. At first there was submitted a plan or specification we could not go by because it was not definite enough; we could have gotten around the details of it, and I came over then to see Mr. Barron and told him to let us have the rooms by numbers so that we

could not get around it, and then such material was to go in such a number of room.

Q. Do you remember the date on which you received this copy?

A. No sir.

Q. Who drew up your bid?

A. I did.

Q. Who knew of the contents of the bid?

A. I did.

Q. Anyone else other than the attaches of your establishment know it?

A. No, sir.

Q. Did Mr. Barron know it?

A. No, sir.

Q. How was that bid made, in writing?

A. Yes, sir.

Q. Who was it delivered to?

A. I am not positive whether I delivered the bid or Mr. Kendrick, but the bid was delivered sealed and I saw it opened.

Q. When were you appraised that the contract had been awarded you?

A. In the Governor's office the day it was opened.

Q. Did any one ever approach you before your bid was made trying to get you not to bid?

A. No, sir.

Q. Did any one ever approach you after your bid was made, trying to get you not to accept the contract?

A. No, sir.

Q. Was there any inducement offered by you to Barron to procure you certain information?

A. No, sir.

Q. Did you have any advantage of any other bidder?

A. None whatever.

Mr. Rosser: Q. Did any other prospective bidder ever talk to you before or after you submitted your bid?

A. No, sir.

Q. None of these gentlemen that did bid ever saw you or your firm?

A. They never saw me about it.

Q. Any of the men who did bid on the work?

A. No, sir, not before.

Q. I mean before it was awarded?

A. No, sir, I have talked with one or two since the bid was awarded.

Q. Were those conversations other than any business man would have had with another?

A. No, sir.

Mr. Jones: Q. You never gave Mr. Barron any rebate in order to secure this contract, or any other living man for him?

A. No, sir.

Q. No offer of any such?

A. No, sir.

Mr. Pierce: Q. And was never requested to do so?

A. No, sir.

Q. Is it possible some other person could have given a rebate other than you or Kendrick by which you would have been in a position to have secured the contract?

A. No, sir.

Q. Were you and Kendrick the only two representatives of your firm who dealt with Barron in connection with it?

A. Yes, sir.

Q. What position did you occupy with Chamberlin-Johnson?

A. Manager of the carpet department.

Q. What was Mr. Kendrick's position?

A. Assistant manager of the carpet department.

Mr. Barron: Q. Didn't I ask you, and possibly several others in your presence, if some one would kindly copy the specifications for me?

A. Yes, I believe you did, as you said you had no stenographer.

Q. I said that I was not much of a typewriter myself?

A. I think you said something about not having a stenographer.



Q. As to the bidder on the contract, would it make any difference whatever where a specification was drawn if all the bidders were furnished the same?

A. No, sir, none whatever, in fact take a thing like that and they always have to get assistance from somebody, like I would in a lien that I knew nothing about.

Mr. Brown: Q. How were you paid for this work?

A. I don't know; I don't know whether it has been paid yet or not.

WILLIAM WILSON, sworn.

Mr. Pierce: Q. Did you ever procure a copy of that paper containing the specifications here for repairing and decorating the capitol building??

A. Yes, sir.

Q. From whom did you procure those specifications?

A. I got them from Mr. Barron's office.

Q. What was your object in getting them from him?

A. To make a bid on the work.

Q. What is your business?

A. Decorating.

Q. When were these specifications obtained?

A. I don't recollect the date, I think that I called up and asked him when they were ready

Q. How did you submit your bid, in writing?

A. Yes, sir, it was sealed up and given to Mr. Barron, or delivered to his office.

Q. Were you present when it was opened?

A. Yes, sir, I was in the Governor's office when it was opened. I think a couple of days after I saw Mr. Barron I saw the specifications in the architect's office, in Mr. Downing's office.

Q. Were these specifications such as an ordinary well equipped decorator could have complied with?

A. Yes, sir.

Q. Did you have any advantage over any other person?

A. No, sir.

Q. Did you give any pay for those specifications?

A. No, sir.

Q. Did you pay anybody for any information before or after your bid?

A. No, sir.

Q. Did you ever give Barron, directly or indirectly, anything to procure you the contract?

A. No, sir, my transactions were altogether with the architect; the contract was made out and left at Mr. Downing's office.

Q. Where did you procure a copy of the specifications?

A. I got the specifications from Mr. Barron's office.

Q. Was that the only connection you ever had with Barron?

A. Yes, sir.

Q. Where was your bid submitted?

A. To Mr. Barron's office and then when the bids were opened, in the Governor's office, Mr. Barron opened the bids and handed them to the Governor without reading them.

Q. How many bids were submitted for this decorating work?

A. I think five.

Mr. Jones: Q. You are the one that got the contract?

A. Yes, sir.

Q. Did you ever offer Mr. Barron anything as a rebate in order to help secure the contract?

A. No, sir.

Q. Or any other person?

A. No, sir.

Q. There were no offers made to you in order to let you get the contract?

A. No, sir.

Mr. Brown: Q. How were you paid?

A. By the treasurer.

Q. Governor's warrant?

A. Yes, sir, under a certificate from the architect. About all Mr. Barron did was to introduce me to one gentleman, who was a bidder for the work.

G. C. JONES, SWORN.

Mr. Pierce: Q. With whom were you employed on or about the 15th of February, 1910?

A. J. M. High & Co.

Q. Are you in their employ now?

A. Yes, sir, I am secretary and treasurer.

Q. Have you ever seen the bid that you made for the carpeting, etc., for the Senate and House?

A. Yes, sir, I think that I signed it.

Q. Is that your bid?

A. Yes, sir.

Q. Did anybody ever call on you in reference to that other than the members of your firm?

A. No, sir.

Q. Did anybody ever come to you and make a proposition to you to furnish this stuff to them so that they could get the bid?

A. No, sir, not to me.

Q. Did you hear any such proposition?

A. Yes, sir.

Q. Who was it made to?

A. I don't know the name, I could find out.

Q. How can you find out?

A. I think Mr. Goldsmith can tell me.

Q. Did you hear the conversation?

A. No, sir, Mr. Goldsmith came to me and told me the proposition, and I told him we couldn't consider it.

Q. When was that proposition made to you?

A. Just before we handed in the bid, and when we heard that, we thought it was best to insist on the bids being opened in the presence of the bidders.

Q. Did you make that request?

A. Yes, sir; I called up Governor Brown and told him we had matters of this kind for the United States government and we always had our bids opened in our presence, and he said he didn't know how it was to be done, and suggested that I call up Mr. Barron, and I did, and he was not sure about it, and I told Mr. Robbins not to hand in any bid unless it was opened in our presence.

Mr. Keith: Q. What was the suggestion of this fellow?

A. I don't know only from hearsay.

Q. Mr. Goldsmith is coming up here?

A. Yes, sir; my memory is that this party told Mr. Goldsmith he could put his bid in and he would guarantee to get, I think, 5 per cent. or 10 per cent. above his bid and we could pay him 5 per cent or 10 per cent. commission.

Q. He could secure the job at 5 per cent. or 10 per cent. more than you were willing to take it at?

A. Yes, sir.

Mr. Hall: Q. Who was going to fill the contract?

A. He wanted us to fill it.

Q. And give him the percentage?

A. Yes, sir; stating he could get 10 per cent. more than our bid.

Q. If you would make your bid through him he could get 10 per cent. more than you were willing to get or do the work at?

A. Yes, sir.

Q. Did he know what you were going to do the work at?

A. No, sir. Of course I didn't connect Mr. Barron with any of this at all.

Mr. Keith: Q. Have you got any reason to believe Barron had any connection whatever with it?

A. No, sir; I don't know anything about it except it was a proposition we couldn't go into, and we declined it immediately.

Q. Mr. Barron never suggested any such thing?

A. No, sir; I never saw him until a moment ago. I talked to him over the 'phone.

Q. And you have no reason to believe this man was sent to you by Barron?

A. No, sir; none in the world.

Mr. Hill: Q. Will you examine this carpet and state whether or not your bid was to furnish this class of material?

A. I don't know, Mr. Goldsmith can tell you. That is not in my department, but I know Mr. Goldsmith told me we couldn't afford to fill the order at Chamberlin's bid.

Mr. Pierce: Q. I want to introduce these original bids and the original specifications so that they may go into the record.



H. M. GOLDSMITH, SWORN.

Mr. Pierce: Q. Were you employed by High & Co. about Feb. 15, 1910?

A. Yes, sir.

Q. Do you know anything about a bid that was made by that firm for material to be furnished here in repairing the House and Senate chambers?

A. Yes, sir; we made a bid on it.

Q. Who made that bid for your firm?

A. I did, or superintended it.

Q. From what source did you get the specifications?

A. Mail.

Q. Are these the specifications?

A. Yes, sir.

Q. Are they such as any well equipped, up-to-date carpet house could comply with?

A. Yes, sir; I think so.

Q. Before making your bid were you ever ap-

proached by anyone making an offer to prevent you from bidding?

A. No, sir, I was approached by some gentleman; I don't know that he wanted to prevent me from bidding, that claimed to represent some New York house.

Q. Do you know who he was?

A. No, sir.

Q. What was the conversation?

A. I can not recall exactly the conversation; it seems to me he told me these specifications had been sent out too late for him to connect with his New York house and get his bid in; that if I would furnish him my figures that he would get 10 per cent. more than my bid, provided I would give him 15 per cent. of the gross contract.

Q. Was he an Atlanta man?

A. I don't think he was; I never saw him before. I didn't think much of it and never paid much attention to him. He gave me his name but I can not say who he was to save my life now.

Mr. Hill: Q. How did he know he could secure the contract?

A. I told him that I thought he was talking ridic-

nously; that they were to be opened in the presence of the bidders, and I didn't see how he could do it, and he said you are a carpet man, and I said yes, and he said I am a politician.

Q. Did he say he had any conversation with the Keeper of Public Buildings here, or the Governor?

A. No, sir.

Mr. Hall: Q. What was it he said?

A. He said to me, if you will give me your bid, or proposal, for furnishing this capitol, I will give you 10 per cent. more than you bid, provided you allow me 15 per cent. of the gross fee.

Q. There was no sense in it, was there?

A. No, sir; I don't think so, and that was why I didn't pay any attention to it, it looked like to me he was a crank.

Mr. Pierce: Q. Was he a young man or old man?

A. He was a middle aged man.

Mr. Keith: Q. Small man?

A. I don't know. I went to the firm and laid the matter before them, and they said they didn't want

to have anything to do with such a man, and I never paid any attention to him.

Mr. Pierce: Q. Examine this carpet and see if you bid on that class of material.

A. Yes, sir; that seems to be about the class of carpet called for.

Q. What was your bid in dollars and cents?

A. Five thousand forty-seven dollars and fifty-five cents.

Q. This was the bid accepted?

A. Yes, sir; four thousand, eight hundred and ninety dollars and thirty-seven cents.

Q. You were both bidding on the same specifications?

A. Yes, sir.

Q. There was only a few dollars difference between your bids?

A. Yes, sir.

Q. You say any well equipped carpet house could have complied with the specifications?

A. Yes, sir. That is a very close bid on that bill

of stuff. I know that I didn't figure to make anything out of it.

Q. Did you help get up the specifications?

A. No, sir, my assistant did; Mr. Robbins came here in company with two or three others and agreed on the grade of carpet stuff that would be bid on. They gave them the different makes and brands and grades and they then issued the specifications.

Q. So that every man knew exactly what he was bidding on?

A. Yes, sir, absolutely, and it was a square deal as far as I could see.

Mr. Hall: Q. There was nothing in it to indicate to you that it was not entirely fair and square?

A. No, sir, nothing in the world.

Q. Did the contract require a bond?

A. I believe there was a certified check of five hundred dollars to be deposited with the bid.

Mr. Jones: Q. Nobody approached you to offer you any rebate from Barron's office, directly or indirectly?

A. No, sir.

Q. Or the Governor's office?

A. No, sir.

Q. Anybody connected with the capitol building?

A. No, sir, this gentleman came into the store and approached me and seemed to be hurt because he couldn't get in a bid.

Mr. Hall: Q. You are an expert in this business?

A. I have been in the business for twenty-five years.

Q. Was there any chance under that bid for anybody to have any rake-off?

A. None whatever, unless they could have it understood not to furnish the grade of goods bid on, and these goods are all right. I can not swear positively, but I think it is a grade of Victoria Wilton, and it would sell at retail at \$3.25 a yard.

Q. The bid was \$2.17½ a yard?

A. I don't know, I think that I figured \$2.50, and I think the factory cost is \$2.17½ a yard. I don't remember mine, for when I lose a thing of that kind I have got something else to look after and I go after that.

J. L. BARRON, recalled.

Mr. Pierce: Q. Do you know who the man is that Mr. Goldsmith referred to?

A. No, sir, I don't know him. I don't know who Mr. Goldsmith has reference to. I furnished the specifications to the people who asked for them.

Q. You know nothing about the person who went to High & Co. and made that proposition about securing the contract?

A. No, sir, this is the first time that I ever heard of it.

Mr. Pierce: I move the Committee draw their report setting forth that after investigation, nothing has been found on which to base the charge as stated. (Which motion was carried, and Committee adjourned).

(COPY OF SPECIFICATION INTRODUCED IN EVIDENCE.)

ATLANTA, GA., Feb. 10th, 1910.

SPECIFICATION.

For carpets and linoleum to be furnished the State of Georgia, and to be laid in the State capitol as follows:

CARPETS.

THE SENATE.

SECRETARY OF THE SENATE—2 ROOMS—  
299 and 230.

PRESIDENT OF THE SENATE OFFICE.

SENATE MESSENGER ROOM.

HALL OF THE HOUSE OF REPRESENTA-  
TIVES.

THE SPEAKER OF THE HOUSE OF REPRE-  
SENTATIVES ROOM—212.

THE CLERK OF THE HOUSE OF REPRE-  
SENTATIVES ROOM—209.

The carpet to be M. J. Whittall's Victoria Wilton  
without borders.

LINING.

The lining for carpet to be W. & J. Sloane's Cedar  
lining, brand L, weight 175 pounds to the bale.

LINOLEUM.

THE SENATE BALCONY AND STEPS  
THEREIN.

THE HOUSE OF THE REPRESENTATIVES  
BALCONY AND STEPS THEREIN



THE VESTIBULE OF THE HALL OF THE  
HOUSE OF REPRESENTATIVES.

THE POST OFFICE OF THE HOUSE OF  
REPRESENTATIVES—Room 211.

The linoleum to be imported Battleship, Govern-  
ment Standard.

BRASS NOSINGS.

For all steps and landings directly above the steps  
in the BALCONY OF THE SENATE, and the  
BALCONY OF THE HOUSE OF REPRESENTA-  
TIVES.

Nosing to be 18 inch gage, and to be put down  
with screws.

All of the above work to be made and laid in the  
best workmanlike manner.

(COPY OF BID INTRODUCED IN EVIDENCE.)

ATLANTA, GA., February 15, 1910.

FOR—State of Georgia,

ADDRESS—Atlanta, Ga.

WORK TO BE DONE AT. State Capitol, Atlanta,  
Ga.

ESTIMATE.

SPECIFICATION.

We will furnish M. J. Whittall's Victoria Wilton  
carpet, lined with W. & J. Sloane's Cedar lining,

brand L, and Imported Battleship linoleum, laid with 18 inch brass nosing, all as per your specifications, for the sum of FOUR THOUSAND EIGHT HUNDRED NINETY DOLLARS AND THIRTY-SEVEN CENTS -----\$4,890.37

Respectfully submitted,

(HAMBERLIN-JOHNSON-DUBOSE Co.,

CHJ-oc

Per Jones.

(COPY OF BID INTRODUCED IN EVIDENCE.)

ATLANTA, GA., February 15, 1910.

*To His Excellency,*

JOSEPH M. BROWN,

Governor State of Georgia.

SIR: We propose to furnish Carpets, Linoleums, and brass nosing for the Capitol Building, as per specifications furnished us by you, including making and laying, for the sum of Five Thousand Nine Hundred and Thirty-Four Dollars (\$5,934.50) Fifty Cents.

Should we be favored with the order, we guarantee satisfaction in every respect.

Thanking you, we remain,

Yours very truly,

DAVISON-PAXON-STOKES COMPANY,

Per M. H. Douthitt,

Mgr. C't. Dept.

MHD/H

(COPY OF BID INTRODUCED IN EVIDENCE.)

ATLANTA, GA., February 15, 1910.

State of Georgia, Dep't of Public Bldgs. & Grounds,

MR. J. L. BARRON,

Keeper.

We submit this our bid for furnishing Victoria Wilton carpet for the Senate, Secretary of the Senate two rooms No. 229 and 230. President of the Senate's office, Senate's Messengers room, Hall of the House of Representatives, the Speaker of the House of Representatives room No. 212, the Clerk of the House of Representatives room No. 209. The carpet to be M. J. Whittall's Victoria Wilton with-

out border. The lining to be W. J. Sloanes lining brand "L," weight 175 lbs. the bale.

Linoleum for the Senate balcony and steps therein; the Hall of the Representative's balcony and steps therein, the vestibule of the Hall of the House of Representatives, the Post Office of the House of Representative's, room No. 211. The Linoleum to be imported "Battle Ship Government", standard brass nosings for the steps and landings, directly above in the balcony of the Senate and the balcony of the House of Representatives.

Nosing to be 18 gauge and put down with screws.

All of the above work to be made and laid in a satisfactory and workman-like manner for the sum of Five Thousand Forty-seven Dollars and Fifty-five cents. (\$5,047.55)

J. M. HIGH Co.

HWG

(COPY OF BID INTRODUCED IN EVIDENCE.)

ATLANTA, GA., February 15, 1910.

State of Georgia,

Department of Public Buildings and Grounds,

J L. Barron, Keeper.

DEAR SIR: We herewith beg to submit our bid for

floor covering for the State Capitol in accordance with the specification furnished us.

We will furnish floor coverings according to specification for the sum of \$5,300.00.

Trusting that our bid will receive your favorable consideration, we beg to remain,

Yours truly,

KEELY COMPANY,

H. T. Croft.

(COPY OF BID INTRODUCED IN EVIDENCE.)

ATLANTA, GA., February 15, 1910.

MR. J. L. BARRON,

Keeper of Public Bldgs.,

State Capitol,

City.

DEAR SIR: We agree to furnish carpets and linings, linoleum and brass nosings in spaces specified in your proposal of February the 10th, using the quality of goods specified for same, all work to be made and laid in a first-class manner for the sum of

THURSDAY, JULY 28, 1910.

963

five thousand, four hundred and seventy-five dollars  
(\$5,475.00).

Yours very truly,

M. RICH & BROS. Co.

PR-A

Per P. Rich.

COMMITTEE OF PUBLIC PROPERTIES  
STATE OF GEORGIA.  
REPORT ON  
SPECIAL INVESTIGATION  
OFFICE OF  
KEEPER OF PUBLIC BUILDINGS & GROUNDS.  
DATE, July 15, 1910.

ATLANTA, GA., July 15, 1910.

MR. KEITH, Chairman

Of Public Properties Committee,  
State Capitol, City.

DEAR SIR: Pursuant to your request, we have  
audited the accounts and records of J. L. Barron,  
Keeper of Public Buildings and Grounds, State of

Georgia, covering the period of his incumbency in office, July 1st, 1909, to June 22d, 1910, and submit our report in detail as follows:

—RECEIPTS—

|   |             |
|---|-------------|
| Balance of Cash on hand July 1st, 1909--\$  | 6.59        |
| Amount of Warrants drawn on Executive<br>Department, from July 2d, 1909 to<br>June 22d, 1910----- | 27,111.28   |
|   | <hr/>       |
| Total Amount of Receipts-----   | \$27,117.87 |

—DISBURSEMENTS—

Covering the period between July 2d, 1909 and  
June 22d, 1910.

SALARIES—

|                                |          |
|--------------------------------|----------|
| To Keeper of Public Bldgs.--\$ | 1,437.50 |
| To Engineer (1)-----           | 1,150.00 |
| To Fireman (1)-----            | 525.00   |
| To Watchmen (5)-----           | 2,951.66 |
| To Florist (1)-----            | 575.00   |
| To Messenger & Office Boy (1)  | 575.00   |

To Porters—

One assigned to each of the  
following Departments:

|   |             |
|---|-------------|
| Comptroller-General   |             |
| Library   |             |
| Secretary of State  |             |
| Adjutant-General  |             |
| Court of Appeals  |             |
| Treasury  |             |
| Attorney-General & Commissioner of Pensions   |             |
| Prison Commission   |             |
| Governor  |             |
| Geological ( $1\frac{1}{2}$ time)-----  | 4,606.97    |
| To Porters—Doing General work throughout the Capitol Building and Grounds (Average 6) ----- | 1,784.00    |
| To Servants at Mansion (4) _  | 1,189.83    |
| To extra Porters and Servants (Temporary)   |             |
| Capitol Building -----  | 98.76       |
| Mansion -----   | 57.30       |
|   | <hr/>       |
| Total Salaries -----  | \$14,951.02 |



## BUILDING REPAIRS—CAPITOL BUILDING:

|  |                   |
|--|-------------------|
| Labor of Mechanics, Lumber,<br>Cement, Gravel, Paint, etc.<br>(Throughout Bldg.) ----- | \$ 875.77         |
| Topping out Chimneys, Labor<br>of Mechanics, Scaffolding,<br>Brick, Lime and Cement--  | 433.87            |
| Electric Work and Supplies--   | 341.18            |
| Painting Capitol Roof-----   | 186.00            |
| <hr/>  |                   |
| Plumbing -----   | 96.95 \$ 1,933.77 |

## SUPPLIES:

|                           |             |
|---------------------------|-------------|
| Buckets                   |             |
| Mops                      |             |
| Dusters                   |             |
| Soap                      |             |
| Matches                   |             |
| Brooms                    |             |
| Brushes                   |             |
| Cheese Cloth              |             |
| Toilet Supplies           |             |
| Powder for Cleaning       |             |
| Disinfectants             |             |
| Mis. Hardware, etc., etc. | \$ 1,325.71 |

|  |           |          |
|--|-----------|----------|
| Ladders -----  |           | 200.60   |
| Fire Extinguishers -----                                     |           | 110.00   |
| Furniture Repairs -----                                      |           | 178.35   |
| Lawn Mower -----   | \$ 14.00  |          |
| Flowers and Seed -----                                       | 49.65     |          |
| Dirt, Manure, etc. -----                                     | 121.75    |          |
| Painting Signs (Lawn) -----                                  | 28.50     | 213.90   |
| <hr/>  |           |          |
| Awning—Executive Dept. ----                                  | \$ 5.00   |          |
| Awning—Prison Com. Dept. ---                                 | 5.00      |          |
| Book Cases — Quarter Master<br>General Dept. -----           | 32.06     |          |
| Filing Cabinets and Chairs—<br>Quarter Master Gen'l Dept. -- | 67.50     |          |
| Safe Library -----   | 30.68     |          |
| Filing Cabinets and Table—<br>Executive Dept. -----          | 91.00     |          |
| Filing Cabinets — Comptroller-<br>General Dept. -----        | 17.00     |          |
| Desk—Library -----   | 55.00     |          |
| 15 Rugs—Various Departments                                  | 171.75    | 474.99   |
| <hr/>  |           |          |
| At Capitol Bldg. & Mansion—                                  |           |          |
| Water -----  | \$ 348.11 |          |
| Lights -----   | 3,184.31  |          |
| Fuel -----   | 1,692.57  | 5,224.99 |

|                                    |       |
|------------------------------------|-------|
| Ice -----                          | 50.19 |
| Office Supplies—Postage, etc.----- | 7.50  |
| Miscellaneous -----                | 34.03 |

## REPAIRS AT MANSION—

|  |             |             |
|--|-------------|-------------|
| Labor, Plastering, Paint,<br>Lumber, Hardware, etc.---\$ | 199.42      |             |
| Plumbing -----   | 21.35       |             |
| Labor & Materials to repair<br>Fire damage -----         | 500.00      |             |
| Cleaning Furnishings, etc., at<br>Mansion -----          | 135.88      |             |
| Flowers, Seed, etc. at Mansion                           | 51.88       |             |
| Kitchen Range & other Furni-<br>ture at Mansion-----     | 101.75      |             |
| Miscellaneous at Mansion-----                            | 266.65      | 1,276.93    |
| <hr/>  |             |             |
| Total amount of Expenditures forward---                  | \$25,981.98 |             |
| Cash on hand June 22d, 1910-----                         | 1,135.89    |             |
|  |             | <hr/>       |
|  |             | \$27,117.87 |

We secured a certified list, compiled by W. W. Larens, Secretary, Executive Department, of all warrants issued to J. L. Barron. With this list, we verified the recording of receipts and deposits in Bank by the Department under review and found

the same to agree. Cash on deposit, as at June 22d, 1910, was verified by statement from the Bank.

The following is an extract from the Georgia Laws—Acts 1909, which sets forth specifically the disbursing of funds, by the Keeper of Public Buildings and Grounds.

Section 8 (Page 27).

### PUBLIC BUILDING FUND.

“For ordinary repairs of the public buildings, to purchase coal, wood, lights and furniture for the Executive Mansion and the various departments of the State government, to pay the hire of engineers, guards, watchmen, servants at the Mansion, and such porters for the various departments as the Governor may employ, and for the general expenses incident to the keeping in proper condition the public buildings and grounds and to hire such other labor as may be necessary, the sum of twenty-five thousand (\$25,000.00) dollars. Out of this appropriation, the sum of fifteen hundred (\$1,500.00) dollars per annum shall be paid to the Keeper of Public Buildings and Grounds as his salary. The Governor shall require itemized accounts for all payments out of this fund before drawing warrants therefor.”

We found that all disbursements were made within the authority of the above Act.

All disbursements were verified by receipted voucher and cancelled bank check and expenditures for sundry purchases were supported by invoice on file. There were no single purchases or expenditures of large amounts, except for coal, light and repairs on mansion to rebuild fire damage. Bids were received for coal and contract was given to the lowest bidder. Purchasers in our opinion are well distributed among Merchants.

The settlement of invoices for the re-carpeting and decorating of the halls of the House of Representatives and Senate (as provided for in resolution passed and recorded in Georgia Laws—1909—No. 27, part 4, pp. 1581), was not made through this office.

There are on file in the office, acknowledgements given by the Executive Department, for rent (amounting to \$110.00), collected by J. L. Barron. This money, however, has not been recorded on his books.

Though the present incumbent has simplified the method of filing invoices and performed and followed out faithfully the system of his predecessors, the present system is yet cumbersome and crude. We found that pages 97 to 138 inclusive, covering the period between August 1st, 1907 and June 30th, 1909, had been cut out of the only book which shows the proper distribution of expenditures. This mutilation, however, does not affect the records of J. L.

Barron's term of office, but as he informs us, had taken place before the books came into his possession.

Respectfully submitted,

THE AMERICAN AUDIT COMPANY,

Per

C. B. BIDWELL, Resident Vice-President.

The following special order which was brought over as unfinished business from yesterday's session was taken up for further consideration, to-wit:

By Mr. McElreath, of Fulton—

A bill to amend Article 6, Section 7, of the Constitution, which provides for a Justice of the Peace in each Militia District of this State.

The report of the Committee which was favorable to the passage of the bill was disagreed to and the bill was lost. Ayes, 41; nays, 74.

Mr. Anderson, of Chatham, asked unanimous consent that House Bill No. 806 be substituted for House Bill No. 204 on the Calendar, which was granted and the bill which was a special order for this time was read the third time and put upon its passage, to-wit:

By Mr. Persons, of Monroe—

A bill to be entitled an Act to amend Paragraph 2, Section 6, Article 7, of the Constitution of the State of Georgia, by striking from said Paragraph 2 the following: “in instructing children in the elementary branches of an English education only,” and for other purposes.

SECTION 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That Paragraph 2, of Section 6, Article 7, of the Constitution of this State be, and the same is hereby amended by striking from said Paragraph 2, Section 6, Article 7, the following words: “in the elementary branches of an English education only ” So that when said Paragraph is amended it will read as follows: The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose except for educational purposes, to build and repair the public buildings and bridges; to maintain and support prisoners; to pay jurors and coroners, and for litigation, quarantine, roads and expenses of courts; to support paupers and pay debts heretofore existing.

SEC. 2. Be it further enacted, That whenever the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two Houses of the General Assembly, and the same has been entered on their Journals with the ayes and nays taken thereon, the Governor shall

cause said amendment to be published in at least two newspapers in each Congressional District in this State for the period of two months next preceding the time of holding the next general election.

SEC. 3. Be it further enacted, That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at the next general election to be held after publication as provided in the second Section of this Act in the several election districts of this State at which election every person shall be qualified to vote who are qualified to vote for members of the General Assembly. All persons voting at said election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words: "for amendment of Paragraph 2, Section 6, Article 7, permitting counties to levy taxes for educational purposes" and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words "opposed to amendment of Paragraph 2, Section 6, Article 7, permitting counties to levy taxes for educational purposes."

SEC. 4. Be it enacted, That the Governor be, and he is hereby authorized and directed to provide for the submission of the amendment proposed in this Act to a vote of the people as required by the Constitution of this State in Paragraph One, Section One, Article Thirteen, and if ratified the Governor shall when he ascertains such ratification from the Secretary of State to whom the returns



shall be referred, in the manner as in cases of elections of members of the General Assembly; to count and ascertain the result, issue his proclamation for one insertion in one of the daily papers in this State, announcing such result and declaring the amendment ratified.

SEC. 5. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Alexander of DeKalb | Brinson of Emanuel | Davis           |
| Alexander of Fulton | Brown of Henry     | Dickson         |
| Alley               | Brown of Murray    | Drawdy          |
| Anderson of Bullock | Burch              | Edmondson       |
| Anderson of Chatham | Butt               | Edwards         |
| Armistead           | Buxton             | Elder           |
| Atherton            | Calbeck            | Ellison         |
| Atkinson            | Cannon             | English         |
| Ault                | Carswell           | Evans           |
| Barksdale           | Carter             | Fairecloth      |
| Bailey              | Chandler           | Fender          |
| Barrett             | Childs             | Field of DeKalb |
| Beacham             | Converse           | Fields of Crisp |
| Bell                | Cooke              | Ford            |
| Berry               | Cordell            | Fullbright      |
| Booker              | Couch              | Garlington      |
| Boyd                | Cowan              | Gastley         |
| Brinson of Decatur  | Culbertson         | Gillis          |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Godley                | Martin              | Rogers            |
| Graddick              | Meadows of Telfair  | Rosser            |
| Griffin of Sumter     | Meadows of Toombs   | Sheppard          |
| Guyton                | Middlebrooks        | Shirley           |
| Hall                  | Miller of Calhoun   | Simmons           |
| Hardman of Jackson    | Milikin             | Simpson           |
| Harrington            | Moore               | Slade             |
| Harvey                | Moss                | Smith of Gilmer   |
| Hatfield              | MacFarland          | Smith of Tattnall |
| Heard                 | MacIntyre           | Smith of Walton   |
| Helms                 | McCarthy            | Stovall           |
| Henderson of Irwin    | McConnell           | Strong            |
| Henderson of Turner   | McCrary             | Stubbs of Putnam  |
| Hill                  | McCurry             | Stubbs of Thomas  |
| Holtzelaw             | McCutchen           | Tarver            |
| Howell                | McElreath           | Tippins           |
| Hubbard               | McMahan             | Tracey            |
| Hullender             | McMichael of Butts  | Tuggle            |
| Huie                  | McMichael of Marion | Turner            |
| Johnson of Bartow     | McWhorter           | Turnipseed        |
| Johnson of Jeff Davis | Parker of Decatur   | Ushaw             |
| Johnson of Towns      | Parker of Talbot    | Vinson            |
| Joiner                | Paulk               | Waddell           |
| Jones of Laurens      | Peacock             | Walter            |
| Jones of Mitchell     | Persons             | Wasden            |
| Keith                 | Pickett             | Watkins           |
| Kelley                | Pierce              | White of Screven  |
| Kendrick              | Pope                | Whiteley          |
| Kennedy               | Porter              | Wight of Grady    |
| Kicklighter           | Priest              | Williams          |
| Kidd                  | Proctor             | Wohlwender        |
| Kirby                 | Reaves              | Wood              |
| Lewis                 | Redding             | Woodliff          |
| Littleton             | Reid of Campbell    | Wright of Floyd   |
| Lord                  | Reid of Macon       |                   |
| Lovejoy               | Rentz               |                   |

Those voting in the negative were Messrs.:

Brown of Carroll

Cureton

Oliver

Those not voting were Messrs.:

|                   |                     |                   |
|-------------------|---------------------|-------------------|
| Adams             | Hardeman of Jeffs'n | Moss              |
| Allen             | Hendricks           | McArthur          |
| Bagley            | Holder of Floyd     | Reese             |
| Baker             | Jones of Meriwether | Roberts           |
| Brown of Fulton   | Lawrence            | White of Screven  |
| Daniel            | Miller of Ware      | Wright of Stewart |
| Ellis             | Minter              | Mr. Speaker       |
| Griffin of Twiggs | Mitchell            |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 158; nays, 3.

The bill having received the necessary two-thirds majority was passed.

The business for which the session was extended was taken up, the Speaker having announced the House adjourned.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Armistead, of Oglethorpe—

A bill to amend an Act amending the charter of Lexington.

Referred to Committee on Corporations.

By Mr. Reid, of Macon—

A bill to amend and supersede the Acts incorporating the town of Marshallville.

Referred to Committee on Counties and County Matters.

By Mr. Fender, of Lowndes—

A bill to require the County Commissioners of Lowndes county to work public roads within corporate limits of incorporated towns.

Referred to Committee on Counties and County Matters.

By Messrs Heard and Beacham, of Dooly—

A bill to require certain assessment fire insurance companies to make deposits with State Treasurer.

Referred to Committee on Insurance.

By Mr. Reid, of Macon—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Macon county.

Referred to Committee on Counties and County Matters.

By Messrs. Brown, Alexander and McElreath—

A bill to provide for regulation and inspection of grain and hay.

Referred to Committee on General Agriculture.

By Mr. Hall, of Bibb—

A resolution providing for a Commission to consider advisability of selling Governor's Mansion.

Referred to Committee on Public Property.

The following resolutions were read, to-wit:

By Messrs. Hardman and Wight—

A resolution to make House Bill No. 866 a special order.

Referred to Committee on Rules.

By Mr. Anderson, of Bulloch—

A resolution to make House Bill No. 1010 a special order.

Referred to Committee on Rules.

By Messrs. Hullender and Rosser—

A resolution to refund \$160 to W T. Moon.

Referred to Committee on Appropriations.

The following Senate Bills were read the first time, to-wit:

By Mr. Blackwell, of 28th District—

A bill to amend an Act to incorporate the town of Shady Dale.

Referred to Committee on Corporations.

By Mr. Griffith, of 38th District—

A bill to prohibit furnishing or exhibiting any obscene writing to females.

Referred to Committee on Special Judiciary.

By Messrs. Gordy, Womble and Harrell—

A bill to fix salaries of Solicitors-General.

Referred to Committee on Constitutional Amendments.

The following House Bills were read the third time and put upon their passage, to-wit:

By Mr. Lawrence, of Chatham—

A bill to amend laws relating to the City Court of Savannah.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alley, of White—

A bill to prohibit hunting foxes in White county during certain seasons.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Martin, of Lee—

A bill to abolish the City Court of Leesburg.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Meadows, of Telfair—

A bill to require all county officers of Telfair county to have some surety company in their bond.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 98; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Henderson, of Irwin—

A bill to amend an Act to create a system of public schools for the town of Ocilla.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 106; nays, 0.

The bill having received the requisite Constitutional majority was passed.



By Mr. Redding, of Pike—

A bill to create the City Court of Barnesville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Kirby and Couch, of Coweta—

A bill to provide for the payment of costs in criminal cases in certain counties.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 93; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Calhoun—

A bill to repeal an Act to increase the number of Commissioners of Roads and Revenues for Calhoun county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 101; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Meadows, of Telfair—

A bill to amend an Act to create the City Court of McRae.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Kirby and Couch, of Coweta—

A bill to amend the charter of the town of Grantville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller, of Calhoun—

A bill to amend an Act to create the City Court of Calhoun.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Brown, of Carroll—

A bill to amend an Act to create the office of Commissioners of Roads and Revenues for Carroll county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 97; nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate Bills were read the second time, to-wit:

By Mr. Matthews, of 23rd District—

A bill to make it unlawful to engage in or abet prize fights.

By Mr. Matthews, of 23rd District—

A bill to provide proper protection for sinking funds of municipal corporations.

The following House Bills were read the second time, to-wit:

By Mr. Ellis, of Bibb—

A bill to amend Section 4556 of the Code of 1895.

By Mr. Ellis, of Bibb—

A bill to make it unlawful to use another's automobile without consent of owner.

By Mr. Griffin, of Sumter—

A bill to provide for support of minor children when living separate from the father.

By Messrs. Faircloth, of Johnson and Allen, of Upson—

A bill to regulate deposits of insurance companies of securities with the State Treasurer.

By Messrs. Anderson, Lawrence and McCarthy—

A bill to authorize County Commissioners of certain counties to collect taxes quarterly or semi-annually.

By Messrs. Alexander and Field, of DeKalb—

A bill to incorporate the town of East End.

By Mr. Carswell, of Wilkinson—

A bill to incorporate the town of McIntyre.

By Mr. Tippins, of Appling—

A bill to amend Section 4312, Volume 2, of the Code.

By Mr. Burch, of Laurens—

A bill to create a new charter for the city of Dublin.

By Mr. Gastley, of Habersham—

A bill to amend all Acts to incorporate town of Cornelia.

By Mr. Hatfield, of Coffee—

A bill to amend an Act to create a new charter for town of Willacoochee.

By Mr. Huie, of Clayton—

A bill to amend the charter of town of Riverdale.

By Mr. Vinson, of Baldwin—

A bill to authorize Trustees of State Sanitarium to establish a training school.

By Mr. Vinson, of Baldwin—

A bill to appoint Trustees of Georgia State Sanitarium.

The following Senate Bills were read the third time and put upon their passage, to-wit:

By Mr. Calloway, of 29th District—

A bill to amend an Act to create the City Court of Washington.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Calhoun, of 15th District—

A bill to incorporate the town of Alston.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Irwin, of 11th District—

A bill to create the City Court of Cuthbert.

The substitute offered by the House was adopted.

The report of the Committee, which was favorable to the passage of the bill was agreed to by substitute.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed by substitute.

The following House Bills were taken up and the Senate amendments concurred in, to-wit:

By Mr. Lawrence, of Chatham—

A bill to authorize the Mayor and Aldermen of Savannah to provide for registration of voters prior to municipal election.

By Mr. McMichael, of Butts—

A bill to create the office of Commissioners of Roads and Revenues for Butts county

Leave of absence was granted—

Mr. Oliver, of Quitman, for afternoon session.

Mr. Harvey, of Wilcox; business.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 O'CLOCK, P. M.

The House re-convened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

|                     |                     |           |
|---------------------|---------------------|-----------|
| Adams               | Anderson of Bulloch | Ault      |
| Alexander of DeKalb | Anderson of Chatham | Barksdale |
| Alexander of Fulton | Armistead           | Bagley    |
| Allen               | Atherton            | Bailey    |
| Alley               | Atkinson            | Baker     |



|                    |                       |                     |
|--------------------|-----------------------|---------------------|
| Barrett            | Ford                  | Lewis               |
| Beacham            | Fullbright            | Littleton           |
| Bell               | Garlington            | Lord                |
| Berry              | Gastley               | Lovejoy             |
| Booker             | Gillis                | Martin              |
| Boyd               | Godley                | Meadows of Telfair  |
| Brinson of Decatur | Graddick              | Meadows of Toombs   |
| Brinson of Emanuel | Griffin of Sumter     | Middlebrooks        |
| Brown of Carroll   | Griffin of Twiggs     | Miller of Calhoun   |
| Brown of Fulton    | Guyton                | Miller of Ware      |
| Brown of Henry     | Hall                  | Milikin             |
| Brown of Murray    | Hardeman of Jeffs'n   | Mitchell            |
| Burch              | Hardman of Jackson    | Moore               |
| Butt               | Harrington            | Moss                |
| Buxton             | Harvey                | MacFarland          |
| Calbeck            | Hatfield              | MacIntyre           |
| Cannon             | Heard                 | McArthur            |
| Carswell           | Helms                 | McCarthy            |
| Carter             | Henderson of Irwin    | McConnell           |
| Chandler           | Henderson of Turner   | McCrory             |
| Childs             | Hendricks             | McCurry             |
| Converse           | Hill                  | McCutchen           |
| Cooke              | Holder of Floyd       | McElreath           |
| Cordell            | Holtzclaw             | McMahan             |
| Couch              | Howell                | McMichaelof Butts   |
| Cowan              | Hubbard               | McMichael of Marion |
| Culberson          | Hullender             | McWhorter           |
| Cureton            | Huie                  | Oliver              |
| Daniel             | Johnson of Bartow     | Parker of Decatur   |
| Davis              | Johnson of Jeff Davis | Parker of Talbot    |
| Dickson            | Johnson of Towns      | Paulk               |
| Drawdy             | Joiner                | Peacock             |
| Edmondson          | Jones of Laurens      | Persons             |
| Edwards            | Jones of Meriwether   | Pickett             |
| Elder              | Jones of Mitchell     | Pierce              |
| Ellis              | Keith                 | Pope                |
| Ellison            | Kelley                | Porter              |
| English            | Kendrick              | Price               |
| Evans              | Kennedy               | Proctor             |
| Fairecloth         | Kicklighter           | Reaves              |
| Fender             | Kidd                  | Redding             |
| Field of DeKalb    | Kirby                 | Reese               |
| Fields of Crisp    | Lawrence              | Reid of Campbell    |

|                   |                  |                   |
|-------------------|------------------|-------------------|
| Reid of Macon     | Stovall          | Walters           |
| Rentz             | Strong           | Wasden            |
| Roberts           | Stubbs of Putnam | Watkins           |
| Rogers            | Stubbs of Thomas | White of Screven  |
| Rosser            | Tarver           | Whiteley          |
| Sheppard          | Tippins          | Wight of Grady    |
| Shirley           | Tracey           | Williams          |
| Simmons           | Tuggle           | Wohlwender        |
| Simpson           | Turner           | Wood              |
| Slade             | Turnipseed       | Woodliff          |
| Smith of Gilmer   | Upshaw           | Wright of Floyd   |
| Smith of Tattnall | Vinson           | Wright of Stewart |
| Smith of Walton   | Waddell          | Mr. Speaker       |

By unanimous consent House Bill No. 1030 was tabled.

The following special order was read the third time and put upon its passage, to-wit:

By Mr. Persons, of Monroe—

A bill to amend Article 7, Section 1, of the Constitution of the State of Georgia.

Mr. Wright, of Floyd, moved that the bill be tabled and on that motion Mr. Persons, of Monroe, called for the ayes and nays, which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Alexander of Fulton | Beacham            | Brown of Carroll |
| Allen               | Bell               | Brown of Henry   |
| Ault                | Berry              | Cannon           |
| Barksdale           | Boyd               | Childs           |
| Baker               | Brinson of Decatur | Couch            |

|                     |                       |                 |
|---------------------|-----------------------|-----------------|
| Daniel              | Holtzelaw             | Rogers          |
| Edmondson           | Hubbard               | Shirley         |
| Elder               | Huie                  | Smith of Walton |
| English             | Johnson of Jeff Davis | Strong          |
| Evans               | Johnson of Towns      | Tippins         |
| Ford                | Joiner                | Turnipseed      |
| Garlington          | Lovejoy               | Waddell         |
| Hall                | Mitchell              | Walters         |
| Harvey              | Moss                  | Wasden          |
| Heard               | Pickett               | Williams        |
| Henderson of Turner | Pierce                | Wohlwender      |
| Hendricks           | Porter                | Woodliff        |
| Hill                | Reese                 | Wright of Floyd |

Those voting in the negative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Adams               | Fairecloth          | Meadows of Toombs   |
| Alexander of DeKalb | Fender              | Miller of Calhoun   |
| Alley               | Field of DeKalb     | Milikin             |
| Anderson of Bullock | Fullbright          | Moore               |
| Anderson of Chatham | Gastley             | MacFarland          |
| Armistead           | Gillis              | MacIntyre           |
| Atkinson            | Godley              | McCarthy            |
| Barrett             | Graddick            | McCurry             |
| Booker              | Guyton              | McCutchen           |
| Brinson of Emanuel  | Hardman of Jackson  | McElreath           |
| Brown of Murray     | Harrington          | McMahan             |
| Burch               | Hatfield            | McMichael of Butts  |
| Butt                | Helms               | McMichael of Marion |
| Buxton              | Henderson of Irwin  | McWhorter           |
| Calbeck             | Hullender           | Parker of Decatur   |
| Carswell            | Johnson of Bartow   | Parker of Talbot    |
| Converse            | Jones of Laurens    | Paulk               |
| Cooke               | Jones of Meriwether | Persons             |
| Cordell             | Kelley              | Price               |
| Cowan               | Kendrick            | Proctor             |
| Culberson           | Kennedy             | Reaves              |
| Davis               | Kirby               | Redding             |
| Dickson             | Lewis               | Reid of Campbell    |
| Drawdy              | Lord                | Reid of Macon       |
| Edwards             | Martin              |                     |
| Ellison             | Meadows of Telfair  |                     |

|                 |                   |                |
|-----------------|-------------------|----------------|
| Rentz           | Smith of Tattnall | Turner         |
| Rosser          | Stovall           | Upshaw         |
| Simmons         | Stubbs of Putnam  | Watkins        |
| Slade           | Stubbs of Thomas  | Whiteley       |
| Smith of Gilmer | Tracey            | Wight of Grady |

Those not voting were Messrs.:

|                      |                   |                   |
|----------------------|-------------------|-------------------|
| Atherton             | Howell            | Oliver            |
| Bagley               | Jones of Mitchell | Peacock           |
| Bailey               | Keith             | Roberts           |
| Brown of Fulton      | Kicklighter       | Sheppard          |
| Carter               | Kidd              | Simpson           |
| Chandler             | Lawrence          | Tarver            |
| Cureton              | Littleton         | Tuggle            |
| Ellis                | Middlebrooks      | Vinson            |
| Fields of Crisp      | Miller of Ware    | White of Screven  |
| Griffin of Sumter    | Minter            | Wood              |
| Griffin of Twiggs    | McArthur          | Wright of Stewart |
| Hardeman of Jeff's'n | McConnell         | Mr. Speaker       |
| Holder of Floyd      | McCrory           |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the motion to table the ayes were 54; nays, 92. The motion was therefore lost.

The previous question was called.

The following amendment by Mr. Persons, of Monroe, was adopted:

To amend by striking the word "element" in line 4, Section 1, and insert the words "elementary branches."

The report of the Committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Gillis                | MacFarland          |
| Alexander of DeKalb | Godley                | MacIntyre           |
| Allen               | Graddick              | McCrory             |
| Alley               | Griffin of Sumter     | McCurry             |
| Armistead           | Guyton                | McCutchen           |
| Atkinson            | Hardeman of Jeffs'n   | McElreath           |
| Barrett             | Hardman of Jackson    | McMahan             |
| Booker              | Harrington            | McMichael of Butts  |
| Brinson of Emanuel  | Hatfield              | McMichael of Marion |
| Brown of Henry      | Helms                 | McWhorter           |
| Brown of Murray     | Henderson of Irwin    | Parker of Talbot    |
| Butt                | Hendricks             | Paulk               |
| Buxton              | Hullender             | Persons             |
| Carswell            | Johnson of Bartow     | Pope                |
| Carter              | Johnson of Jeff Davis | Price               |
| Converse            | Joiner                | Proctor             |
| Cooke               | Jones of Laurens      | Redding             |
| Cordell             | Jones of Meriwether   | Reid of Campbell    |
| Cowan               | Keith                 | Rentz               |
| Culberson           | Kelley                | Rosser              |
| Davis               | Kendrick              | Sheppard            |
| Dickson             | Kennedy               | Simmons             |
| Drawdy              | Kirby                 | Slade               |
| Edwards             | Lewis                 | Smith of Gilmer     |
| Ellison             | Littleton             | Smith of Tattnall   |
| Fairecloth          | Lord                  | Stovall             |
| Field of DeKalb     | Lovejoy               | Stubbs of Putnam    |
| Fields of Crisp     | Meadows of Telfair    | Stubbs of Thomas    |
| Ford                | Meadows of Toombs     | Tippins             |
| Fullbright          | Miller of Calhoun     | Tracey              |
| Garlington          | Milikin               | Tuggle              |
| Gastley             | Moore                 | Turner              |

|         |          |                |
|---------|----------|----------------|
| Upshaw  | Wasden   | Wight of Grady |
| Vinson  | Watkins  | Wood           |
| Waddell | Whiteley |                |

Those voting in the negative were Messrs.:

|                     |                     |                 |
|---------------------|---------------------|-----------------|
| Alexander of Fulton | Hall                | Pierce          |
| Ault                | Harvey              | Porter          |
| Barksdale           | Heard               | Reaves          |
| Beacham             | Henderson of Turner | Reese           |
| Berry               | Hill                | Reid of Macon   |
| Boyd                | Holtzclaw           | Rogers          |
| Brinson of Decatur  | Howell              | Shirley         |
| Brown of Carroll    | Hubbard             | Smith of Walton |
| Calbeck             | Huie                | Strong          |
| Cannon              | Johnson of Towns    | Tarver          |
| Childs              | Kidd                | Turnipseed      |
| Couch               | Martin              | Walters         |
| Edmondson           | Mitchell            | Williams        |
| Elder               | Moss                | Wohlwender      |
| English             | Parker of Decatur   | Wright of Floyd |
| Evans               | Pickett             |                 |

Those not voting were Messrs.:

|                     |                   |                   |
|---------------------|-------------------|-------------------|
| Anderson of Bullock | Daniel            | McArthur          |
| Anderson of Chatham | Ellis             | McCarthy          |
| Atherton            | Fender            | McConnell         |
| Bagley              | Griffin of Twiggs | Oliver            |
| Bailey              | Holder of Floyd   | Peacock           |
| Baker               | Jones of Mitchell | Roberts           |
| Bell                | Kicklighter       | Simpson           |
| Brown of Fulton     | Lawrence          | White of Screven  |
| Burch               | Middlebrooks      | Woodliff          |
| Chandler            | Miller of Ware    | Wright of Stewart |
| Cureton             | Minter            | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 104; nays, 47.

The bill having failed to receive the requisite two-thirds majority was lost.

Mr. Persons gave notice that at the proper time he would move to re-consider the action of the House in defeating the above bill.

The hour of adjournment having arrived, the business for which the session was extended, on motion of Mr. Alexander, of DeKalb, was taken up.

The following bill was read the first time, to-wit:

By Mr. Alexander, of DeKalb—

A bill to provide a new charter for the town of East Lake.

Referred to Committee on Corporations.

By Mr. McElreath, of Fulton—

A resolution to make House Bill No. 137 a special order.

Referred to Committee on Rules.

Leave of absence was granted—

MR. JOINER, of Washington; sickness.

The Speaker then announced the House adjourned until 9:30 o'clock to-morrow morning.

## ATLANTA, GEORGIA,

FRIDAY, JULY 29, 1910.

The House met pursuant to adjournment at 9:30 o'clock, a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Faireloth           |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bulloch | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converse  | Godley              |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Decatur  | Edwards   | Helms               |
| Brinson of Emanuel  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hill                |
| Brown of Murray     | Evans     | Holder of Floyd     |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slade             |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrory             | Smith of Tattnall |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichaelof Butts   | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Oliver              | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipseed        |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Pickett             | Waddell           |
| Lewis                 | Pierce              | Walters           |
| Littleton             | Pope                | Wasden            |
| Lord                  | Porter              | Watkins           |
| Lovejoy               | Price               | White of Screven  |
| Martin                | Proctor             | Whiteley          |
| Meadows of Telfair    | Reaves              | Wight of Grady    |
| Meadows of Toombs     | Redding             | Williams          |
| Middlebrooks          | Reese               | Wohlwender        |
| Miller of Calhoun     | Reid of Campbell    | Wood              |
| Miller of Ware        | Reid of Macon       | Woodliff          |
| Milikin               | Rentz               | Wright of Floyd   |
| Minter                | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Persons renewed his notice that he would move, at the proper time, to re-consider the action of the House in defeating House Bill No. 204.

On motion of Mr. Moss, of Cobb, House Bill No. 939 was taken from Committee on Hygiene and Sanitation and re-referred to the Temperance Committee.

By unanimous consent House Bill No. 1010 was re-committed.

The following resolution was read, to-wit:

By Mr. Daniel, of Cobb—

A resolution granting the privileges of the floor to Hon. T. J. Hardage.

Privileges of the floor.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Baker, of Lumpkin—

A bill to amend Section 3471, Volume 2, of the Code, of 1895, which provides for the payment of fees and costs in applications for years support.

The favorable report of the Committee was disagreed to and the bill lost. Ayes, 27; nays, 75.

By Mr. Burch, of Laurens—

A bill to create a new charter for the city of Dublin.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Carswell, of Wilkinson—

A bill to incorporate the town of McIntosh.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Huie, of Clayton—

A bill to amend the charter of the town of Riverdale.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Wasden, of Charlton—

A bill to amend an Act to create County Courts so far as same relates to Charlton county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Vinson, of Baldwin—

A bill to authorize the Board of Trustees of the State Sanitarium to establish a training school for nurses.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 10.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Anderson, Lawrence and McCarthy—

A bill to authorize County Commissioners of certain counties to adopt regulations permitting taxes to be paid quarterly or semi-annually.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 111; nays, 3.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following bills were read the first time, to-wit:

By Mr. Rosser, of Walker—

A resolution to refund to W. F. Moon the sum of \$58.88.

Referred to Committee on Appropriations.

By Messrs. McConnell and Simpson, of Gwinnett—

A bill to amend an Act to incorporate the town of Norcross.

Referred to Committee on Corporations.

By Messrs. Porter and Wright, of Floyd—

A bill to appropriate \$100 to pay W. C. Miller for the arrest of Solomon Brantley.

Referred to Committee on Appropriations.

By Mr. Reese, of Glynn—

A resolution providing for a Commission to investigate the Judicial system and make report thereon.

Lie on table one day.

By Messrs. Simpson and McConnell, of Gwinnett—

A bill to authorize the county of Gwinnett to issue bonds for improvements of public roads.

Referred to Committee on Corporations.

By Messrs. McCarthy, Lawrence and Anderson—

A bill to authorize the County Physician of certain

counties to employ a nurse for the county convict hospital.

Referred to Committee on Penitentiary

On motion of Mr. Anderson, of Bulloch, the House re-considered its action in re-committing to the General Judiciary Committee House Bill No. 1010.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to amend the charter of the town of Soper-ton.

A bill to authorize the County Commissioners of Glynn county to prescribe a salary for their Clerk, and for other purposes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended, by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to incorporate the town of Candler, in Hall county.

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to incorporate the city of Helena, in the county of Telfair.

A bill to incorporate the town of Carnegie, in the county of Randolph.

A bill to incorporate the Tennille School District in Washington county.

A bill to amend an Act to establish the City Court of Washington, in the county of Wilkes.

A bill to create a Board of Commissioners for the city of Fort Gaines.

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the county of Hall.

A bill to amend the charter of the Citizens Bank of Valdosta.

A bill to authorize the County Commissioners of Camden county to issue licenses to persons conducting church festivals or like entertainments.



A bill to amend an Act to establish the City Court of Waycross.

A bill to repeal the charter of the town of Maples, in the county of Mitchell.

A bill to authorize the county of Hall to issue bonds for building roads, bridges, etc.

Mr. Persons, of Monroe, who gave previous notice, moved that the House re-consider its action in defeating House Bill No. ———, which provides for an amendment to the Constitution, which motion.

The previous question was called and sustained.

On the motion to re-consider the ayes were 60; nays, 51, the motion therefore prevailed.

The following resolution was read and adopted, to-wit:

By Messrs. Lovejoy and Tuggle—

A resolution extending the sympathy of the House to Mr. Roberts, of Dodge, in his bereavement in the death of his father.

Mr. Fullbright, Chairman of Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me as their Chairman to report them with the following recommendation:

House Bill No. 820.—To amend the charter of Atlanta. Do pass by substitute.

House Bill No. 1039.—To amend the charter of the city of Waynesboro. Do pass.

House Bill No. 1040.—To amend the Act of 1909, which amended the City Court Act of Sylvester. Do pass.

House Bill No. 1041.—To amend the Sylvester City Court Act. Do pass.

Senate Bill No. 229.—To amend charter of the city of Sparta. Do pass as amended.

Senate Bill No. 245.—To prohibit furnishing or exhibiting vulgar writing and pictures to females. Do pass as amended.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House and instruct me, as their Chairman, to report the same back to the House with the following recommendations:

House Bill No. 1024.—To amend the charter of the city of Macon. Do pass.

House Bill No. 1036.—To incorporate the town of Dearing. Do pass.

House Bill No. 1037. To amend an Act to incorporate the town of Oglethorpe. Do pass.

Respectfully submitted,

BUTT, Chairman.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. Speaker:*

Your Committee on Constitutional Amendments has had under consideration House Bill No. 112, and

the substitute thereto, and have authorized me as their Chairman, to report the same back to the House with the recommendation that the same do pass as amended by substitute.

PERSONS, Chairman.

July 29th, 1910.

The undersigned members of the Committee on Constitutional Amendments, submitted the following minority report on House Bill No. 27, to exempt certain farm products from taxation.

*Mr. Speaker:*

We, the undersigned members of the Committee on Constitutional Amendments, beg leave to, and do hereby file this, our minority report to the action of said Committee in refusing to report favorably Bill No. 27, exempting from taxation for one year farm products in the hands of the producer and do hereby recommend that said bill do pass as amended.

JOHNSON, of Bartow,

ALEXANDER, of DeKalb,

PAULK, of Berrien,

ALEXANDER, of Fulton,

E. S. AULT, of Polk,

N. L. GILLIS,

B. H. BAKER.

MACINTYRE,

C. S. REID,

ROLAND ELLIS,

R. N. HARDEMAN.

By unanimous consent the session was extended for the purpose of:

1. Reading House and Senate Bills 1st time.
2. Reading House and Senate Bills 2nd time.
3. Reading House and Senate Bills, local, 3rd time.

On motion of Mr. MacIntyre, of Thomas, House Bill No. 4, was taken from the table and placed on the Calendar.

On motion of Mr. Johnson, of Bartow, House Bill No. 27 was taken from the table and placed on the Calendar.

The following resolution was read, to-wit:

By Mr. Fields, of Crisp—

A resolution to make House Bill No. 1027 the special for July 29.

Mr. Keith, Chairman of the Committee on Public Property, submitted the following report:

*Mr. Speaker:*

Your Committee on Public Property having had under consideration House Resolution No. 295, recommend that the same do pass as amended.

KEITH, Chairman.

July 28, 1910.

The following special orders were read the third time and put upon their passage, to-wit:

By Messrs. Tippins, of Appling, MacIntyre, of Thomas—

A bill to propose an amendment to the Constitution so as to limit appeals.

Mr. Lewis, of Hancock, moved to indefinitely postpone the bill, which motion prevailed.

By Messrs. Johnson, of Bartow, Alexander, of DeKalb—

A bill to amend Article 7, Section 2, Paragraph 2, of the Constitution, so as to exempt certain farm products from taxation.

Mr. Hall, of Bibb, moved that the bill be tabled and on that motion Mr. Johnson, of Bartow, called for the ayes and nays, which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                      |                     |
|---------------------|----------------------|---------------------|
| Adams               | Cureton              | MacFarland          |
| Alexander of Fulton | Evans                | McElreath           |
| Anderson of Bullock | Fields of Crisp      | McMichael of Marion |
| Anderson of Chatham | Fullbright           | Parker of Talbot    |
| Atkinson            | Garlington           | Pierce              |
| Barksdale           | Gastley              | Porter              |
| Bailey              | Godley               | Proctor             |
| Beacham             | Hall                 | Redding             |
| Bell                | Hardeman of Jeff's'n | Reese               |
| Berry               | Heard                | Reid of Macon       |
| Brown of Carroll    | Henderson of Irwin   | Rosser              |
| Burch               | Holtzelaw            | Smith of Walton     |
| Butt                | Johnson of Towns     | Stubbs of Putnam    |
| Buxton              | Jones of Meriwether  | Stubbs of Thomas    |
| Carswell            | Kennedy              | Tuggle              |
| Carter              | Kidd                 | Vinson              |
| Childs              | Lawrence             | Wohlwender          |
| Converso            | Meadows of Toombs    | Wright of Floyd     |
| Cooko               | Mitchell             |                     |

Those voting in the negative were Messrs.:

|                     |          |         |
|---------------------|----------|---------|
| Alexander of DeKalb | Atherton | Baker   |
| Allen               | Ault     | Barrett |

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Booker              | Hill                  | Peacock           |
| Brinson of Decatur  | Hubbard               | Persons           |
| Brinson of Emanuel  | Hullender             | Price             |
| Brown of Henry      | Huie                  | Reaves            |
| Brown of Murray     | Johnson of Bartow     | Reid of Campbell  |
| Calbeck             | Johnson of Jeff Davis | Rentz             |
| Chandler            | Jones of Laurens      | Rogers            |
| Cordell             | Keith                 | Sheppard          |
| Couch               | Kelley                | Shirley           |
| Cowan               | Kendrick              | Simmons           |
| Culberson           | Lewis                 | Simpson           |
| Daniel              | Littleton             | Slade             |
| Dickson             | Lord                  | Smith of Gilmer   |
| Drawdy              | Martin                | Smith of Tattnall |
| Edwards             | Meadows of Telfair    | Stovall           |
| Elder               | Miller of Calhoun     | Tarver            |
| Ellison             | Milikin               | Tippins           |
| English             | Moore                 | Tracey            |
| Faircloth           | Moss                  | Turnipseed        |
| Field of DeKalb     | MacIntyre             | Upshaw            |
| Ford                | McArthur              | Waddell           |
| Gillis              | McConnell             | Walters           |
| Graddick            | McCrory               | Watkins           |
| Griffin of Sumter   | McCurry               | White of Screven  |
| Griffin of Twiggs   | McCutchen             | Whiteley          |
| Guyton              | McMahan               | Wight of Grady    |
| Hardman of Jackson  | McMichael of Butts    | Williams          |
| Harrington          | McWhorter             | Wood              |
| Hatfield            | Oliver                | Woodliff          |
| Helms               | Parker of Decatur     |                   |
| Henderson of Turner | Paulk                 |                   |

Those not voting were Messrs.:

|                 |                   |                |
|-----------------|-------------------|----------------|
| Alley           | Ellis             | Kicklighter    |
| Armistead       | Fender            | Kirby          |
| Bagley          | Harvey            | Lovejoy        |
| Boyd            | Hendricks         | Middlebrooks   |
| Brown of Fulton | Holder of Floyd   | Miller of Ware |
| Cannon          | Howell            | Minter         |
| Davis           | Joiner            | McCarthy       |
| Edmondson       | Jones of Mitchell | Pickett        |



Pope  
Roberts  
Strong

Turner  
Wasden

Wright of Stewart  
Mr. Speaker

By unanimous consent the verification of the roll call was dispensed with.

On the motion to table the ayes were 56; nays, 97.

The motion was therefore lost.

The previous question was called and the main question ordered.

The following amendments were adopted, to-wit:

By Messrs. Johnson, of Bartow, and Alexander, of DeKalb—

To amend by striking out all after the word “words” in line 5, Section 1, and inserting in lieu thereof the following: “The General Assembly shall further have power to exempt from taxation farm products, including baled cotton grown in the State and remaining in the hands of the producer, but not longer than for the year next after their production.”

To amend by striking from line 3 of the caption of the bill the words, “&c.”

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Adams               | Guyton              | McMichael of Butts |
| Alexander of DeKalb | Hardman of Jackson  | McWhorter          |
| Allen               | Harrington          | Oliver             |
| Alley               | Hatfield            | Parker of Decatur  |
| Atherton            | Helms               | Paulk              |
| Ault                | Henderson of Turner | Peacock            |
| Baker               | Hill                | Price              |
| Barrett             | Hubbard             | Reaves             |
| Booker              | Hullender           | Reid of Campbell   |
| Brinson of Decatur  | Huie                | Rogers             |
| Brinson of Emanuel  | Johnson of Bartow   | Rosser             |
| Brown of Henry      | Jones of Laurens    | Sheppard           |
| Brown of Murray     | Keith               | Shirley            |
| Calbeck             | Kelley              | Simmons            |
| Chandler            | Kendrick            | Simpson            |
| Cordell             | Kennedy             | Slade              |
| Couch               | Kidd                | Smith of Tattnall  |
| Cowan               | Kirby               | Stovall            |
| Culberson           | Lewis               | Stubbs of Thomas   |
| Daniel              | Littleton           | Tarver             |
| Dickson             | Lord                | Tippins            |
| Drawdy              | Martin              | Tracey             |
| Edwards             | Meadows of Telfair  | Turnipseed         |
| Elder               | Miller of Calhoun   | Upshaw             |
| Ellison             | Milikin             | Waddell            |
| English             | Moore               | Walters            |
| Faircloth           | Moss                | Wasden             |
| Field of DeKalb     | MacIntyre           | Watkins            |
| Ford                | McArthur            | White of Screven   |
| Gillis              | McConnell           | Whiteley           |
| Graddick            | McCrory             | Wight of Grady     |
| Griffin of Sumter   | McCurry             | Williams           |
| Griffin of Twiggs   | McCutchen           | Wood               |

## Those voting in the negative were Messrs.:

|                     |           |       |
|---------------------|-----------|-------|
| Alexander of Fulton | Barksdale | Berry |
| Anderson of Chatham | Bailey    | Boyd  |
| Armistead           | Beacham   |       |
| Atkinson            | Bell      |       |

|                 |                       |                  |
|-----------------|-----------------------|------------------|
| Brown of Carrol | Godley                | Parker of Talbot |
| Burch           | Hall                  | Persons          |
| Cannon          | Heard                 | Pickett          |
| Carswell        | Henderson of Irwin    | Pierce           |
| Carter          | Holtzelaw             | Porter           |
| Childs          | Howell                | Proctor          |
| Converse        | Johnson of Jeff Davis | Redding          |
| Cooke           | Johnson of Towns      | Reese            |
| Cureton         | Jones of Meriwether   | Rentz            |
| Ellis           | Lovejoy               | Smith of Walton  |
| Evans           | Meadows of Toombs     | Stubbs of Putnam |
| Fields of Crisp | MacFarland            | Wohlwender       |
| Fullbright      | McElreath             | Wright of Floyd  |
| Garlington      | McMahan               |                  |
| Gastley         | McMichael of Marion   |                  |

Those not voting were Messrs.:

|                       |                   |                   |
|-----------------------|-------------------|-------------------|
| Anderson of Bullock   | Hendricks         | Popo              |
| Bagley                | Holder of Floyd   | Reid of Macon     |
| Bailey                | Joiner            | Roberts           |
| Brown of Fulton       | Jones of Mitchell | Smith of Gilmer   |
| Butt                  | Kicklighter       | Strong            |
| Buxton                | Lawrence          | Tuggle            |
| Davis                 | Middlebrooks      | Turner            |
| Edmondson             | Miller of Ware    | Vinson            |
| Fender                | Minter            | Woodliff          |
| Hardeman of Jefferson | Mitchell          | Wright of Stewart |
| Harvey                | McCarthy          | Mr. Speaker       |

The roll call was verified and on counting the votes it was found that the ayes were 99; nays, 53.

The bill having failed to receive the necessary two-thirds majority was lost.

On motion of Mr. White, of Screven, the session was further extended for 3 minutes for the purpose of reading a second time Senate Bill No. 93, which was adversely reported by the Committee.

Mr. Anderson, of Chatham, Vice-Chairman of the Committee on Rules, submitted the report of the Committee, but before the same could be disposed of the hour of adjournment arrived and the business for which the session was extended, was taken up.

The following House bills were read the first time, to-wit:

By Mr. McMahan, of Clarke—

A bill to require County Commissioners of certain counties to pay officers of court all legal costs for convicts sent to county chaingang.

Referred to Committee on Special Judiciary.

By Mr. Calbeck, of Gordon—

A bill to incorporate the town of Ranger.

Referred to Committee on Corporations.

By Mr. Harrington, of Liberty—

A resolution to make House Bill No. 723 a special order.

Referred to Committee on Rules.

The following bills were read the second time, to wit:

By Mr. Hall, of Bibb—

A resolution creating a Commission to look after the sale of the Governor's Mansion.

By Mr. Hall, of Bibb—

A bill to amend the charter of the city of Macon.

By Mr. Reeves, of McDuffie—

A bill to incorporate the town of Dearing.

By Mr. Reid, of Macon—

A bill to amend an Act to incorporate the town of Oglethorpe.

By Mr. Fullbright, of Burke—

A bill to amend the charter of the city of Waynesboro.

By Mr. Ford, of Worth—

A bill to repeal an Act to amend an Act to create the City Court of Sylvester.

By Mr. Ford, of Worth—

A bill to amend an Act to establish the City Court of Sylvester.

The following Senate Bills were read the second time, to-wit:

By Mr. Burwell, of 20th District—

A bill to amend an Act to create a charter for the city of Sparta.

By Mr. Griffith, of 38th District—

A bill to prohibit exhibiting to any female any writing, etc., containing obscene and vulgar language.

The following Senate Bills were read the first time, to-wit:

By Mr. Akin, of 4th District—

A bill to authorize the Commissioners of Roads and Revenues of Glynn county to fix the salary to be paid the Clerk of said Board.

Referred to Committee on Counties and County Matters.

By Mr. Calhoun, of 15th District—

A bill to amend an Act to incorporate the town of Soperton.

Referred to Committee on Corporations.

The following bills were read the third time and put upon their passage, to-wit:

By Messrs. Brown and McElreath, of Fulton—

A bill to amend an Act to establish a new charter for the city of Atlanta, and the several Acts amendatory thereof.

The substitute proposed by the Committee was adopted.

The report of the Committee which was favorable to the passage of the bill by substitute was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed by substitute.

By Messrs. Alexander and Field, of DeKalb—

A bill to incorporate the town of East End.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hatfield, of Coffee—

A bill to create a new charter for the town of Willacoochee.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 111, nays, 0.

The bill having received the requisite Constitutional majority was passed.

Leave of absence was granted—

Mr. Price, of Bartow, business.

Mr. Hubbard, of Dawson, business.

Mr. Hardman, of Jackson, business.

Messrs. Griffin and Sheppard, of Sumter, business.

Mr. Armistead, of Oglethorpe, business.

Mr. Brown, of Henry, business.

Mr. Edwards, of Walton, business.

Mr. Word, of Banks, business.



Mr. McWhorter, of Greene, business.

Mr. Waddell, business.

Mr. Gastley, of Habersham, business.

Mr. Kennedy, of Tattnall, business.

Mr. Childs, of Taylor, business.

Mr. Cordell, business.

Mr. Simpson, of Gwinnett, business.

Adams, of Hall, business.

Carter, of Hall, business.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

|                     |                     |           |
|---------------------|---------------------|-----------|
| Adams               | Alley               | Atherton  |
| Alexander of DeKalb | Anderson of Bullock | Atkinson  |
| Alexander of Fulton | Anderson of Chatham | Ault      |
| Allen               | Armistead           | Barksdale |

|                    |                       |                     |
|--------------------|-----------------------|---------------------|
| Bailey             | Fender                | Kidd                |
| Bagley             | Field of DeKalb       | Kirby               |
| Baker              | Fields of Crisp       | Lawrence            |
| Barrett            | Ford                  | Lewis               |
| Beacham            | Fullbright            | Littleton           |
| Bell               | Garlington            | Lord                |
| Berry              | Gastley               | Lovejoy             |
| Booker             | Gillis                | Martin              |
| Boyd               | Godley                | Meadows of Telfair  |
| Brinson of Decatur | Graddick              | Meadows of Toombs   |
| Brinson of Emanuel | Griffin of Sumter     | Middlebrooks        |
| Brown of Carroll   | Griffin of Twiggs     | Miller of Calhoun   |
| Brown of Fulton    | Guyton                | Miller of Ware      |
| Brown of Henry     | Hall                  | Milikin             |
| Brown of Murray    | Hardeman of Jeff's'n  | Mitchell            |
| Burch              | Hardman of Jackson    | Moore               |
| Butt               | Harrington            | Moss                |
| Buxton             | Harvey                | MacFarland          |
| Calbeck            | Hatfield              | MacIntyre           |
| Cannon             | Helms                 | McArthur            |
| Carswell           | Heard                 | McCarthy            |
| Carter             | Henderson of Irwin    | McConnell           |
| Chandler           | Henderson of Turner   | McCrary             |
| Childs             | Hendricks             | McCurry             |
| Converse           | Hill                  | McCutchen           |
| Cooke              | Holder of Floyd       | McElreath           |
| Cordell            | Holtzelaw             | McMahan             |
| Couch              | Howell                | McMichael of Butts  |
| Cowan              | Hubbard               | McMichael of Marion |
| Culbertson         | Hullender             | McWhorter           |
| Cureton            | Huie                  | Oliver              |
| Daniel             | Johnson of Bartow     | Parker of Decatur   |
| Davis              | Johnson of Jeff Davis | Parker of Talbot    |
| Dickson            | Johnson of Towns      | Paulk               |
| Drawdy             | Joiner                | Peacock             |
| Edmondson          | Jones of Laurens      | Persons             |
| Edwards            | Jones of Meriwether   | Pickett             |
| Elder              | Jones of Mitchell     | Pierce              |
| Ellis              | Keith                 | Pope                |
| Ellison            | Kelley                | Porter              |
| English            | Kendrick              | Price               |
| Evans              | Kennedy               | Proctor             |
| Fairecloth         | Kicklighter           | Reaves              |

|                  |                   |                   |
|------------------|-------------------|-------------------|
| Redding          | Smith of Tattnall | Waddell           |
| Reese            | Smith of Walton   | Walters           |
| Reid of Campbell | Stovall           | Wasden            |
| Reid of Macon    | Strong            | Watkins           |
| Rentz            | Stubbs of Putnam  | White of Screven  |
| Roberts          | Stubbs of Thomas  | Whiteley          |
| Rogers           | Tarver            | Wight of Grady    |
| Rosser           | Tippins           | Williams          |
| Sheppard         | Tracey            | Wohlwender        |
| Shirley          | Tuggle            | Wood              |
| Simmons          | Turner            | Woodliff          |
| Simpson          | Turnipseed        | Wright of Floyd   |
| Slade            | Upshaw            | Wright of Stewart |
| Smith of Gilmer  | Vinson            | Mr. Speaker       |

Mr. Minter was absent.

The report of the Committee on Rules which was up for consideration when the House adjourned was again taken up for further consideration.

The report is as follows:

July 29, 1910.

*Mr. Speaker:*

Your Committee on Rules begs leave to submit the following report, and to recommend the adopting of the following special orders:

1. That House Bill No. 75, being a contested local city court bill be set as a special order for Friday afternoon, July 29th, immediately upon the opening of the session; that the debate on the bill be limited to 20 minutes to each side at the expiration of which

both the previous and the main questions shall be considered ordered and the vote upon the bill shall be taken without any time allowance to the Chairman of the Committee which reported the bill.

2. That House Bill No. 398, to create the Toombs Judicial Circuit be set as a special order immediately after the disposition of the above order; that the debate be limited to 10 minutes to each side at the expiration of which both the previous and main questions shall be considered ordered and the vote upon the bill shall be taken without any time allowance to the Chairman of the Committee reporting the bill.

3. That immediately upon the disposition of the existing special order for bills involving Constitutional Amendments all bills relating to education, except Bill No. 221, known as the Compulsory Education Bill, shall be set as a special and continuing order until disposed of. That the debate upon the Committee substitute for House Bills 201, 202, 203 shall be limited to 40 minutes to each side at which time the previous question shall be considered ordered; and that in the other bills of this class individual speeches shall be limited to 10 minutes.

4. That House Bill No. 221, known as the Compulsory Education Bill shall be set as a special and continuing order immediately after the disposition of the preceding special order; that the debate thereon shall be limited to 40 minutes to each side at the

expiration of which both the previous and the main question shall be considered ordered and the vote upon the bill shall be taken immediately without any time allowance to the Chairman of the Committee which reported the bill.

Respectfully submitted,

J. RANDOLPH ANDERSON, Vice-Chairman.

Upon agreeing to recommendation No. 4, of the report which recommends that the Compulsory Education Bill be set as a special order, Mr. Wright, of Floyd called for the ayes and nays which call was sustained and the vote is as follows:

Those voting in the affirmative were Messrs.:

|                     |                 |                       |
|---------------------|-----------------|-----------------------|
| Alexander of DeKalb | Drawdy          | Hullender             |
| Alexander of Fulton | Elder           | Huie                  |
| Anderson of Chatham | Ellis           | Johnson of Jeff Davis |
| Atkinson            | English         | Johnson of Towns      |
| Barksdale           | Evans           | Jones of Laurens      |
| Booker              | Faireloth       | Kidd                  |
| Brown of Henry      | Field of DeKalb | Lewis                 |
| Brown of Murray     | Fields of Crisp | Littleton             |
| Burch               | Fullbright      | Lovejoy               |
| Butt                | Garlington      | Martin                |
| Calbeck             | Gastley         | Meadows of Telfair    |
| Carswell            | Gillis          | Meadows of Toombs     |
| Chandler            | Godley          | Miller of Calhoun     |
| Converse            | Guyton          | Milikin               |
| Cooke               | Harrington      | Moss                  |
| Couch               | Hatfield        | MacFarland            |
| Culbertson          | Helms           | McCarthy              |
| Davis               | Hill            | McCrary               |
| Dickson             | Holtzelaw       | McCutchen             |

|                     |                  |                 |
|---------------------|------------------|-----------------|
| McElreath           | Reid of Campbell | Tuggle          |
| McMahan             | Rogers           | Turnipseed      |
| McMichael of Butts  | Rosser           | Upshaw          |
| McMichael of Marion | Shirley          | Waddell         |
| Parker of Talbot    | Slade            | Walters         |
| Persons             | Stovall          | Wasden          |
| Pierce              | Stubbs of Putnam | Whiteley        |
| Porter              | Stubbs of Thomas | Wight of Grady  |
| Price               | Tarver           | Williams        |
| Proctor             | Tippins          | Wright of Floyd |
| Reese               | Tracey           |                 |

Those voting in the negative were Messrs.:

|                    |                     |                  |
|--------------------|---------------------|------------------|
| Allen              | Hall                | MacIntyre        |
| Ault               | Hardeman of Jeffs'n | McCurry          |
| Baker              | Heard               | Oliver           |
| Beacham            | Henderson of Irwin  | Paulk            |
| Boyd               | Henderson of Turner | Reaves           |
| Brinson of Decatur | Johnson of Bartow   | Reid of Macon    |
| Brown of Carroll   | Kelley              | Smith of Walton  |
| Cureton            | Kendrick            | Turner           |
| Daniel             | Kirby               | Vinson           |
| Ellison            | Lord                | White of Screven |
| Ford               | Moore               | Woodliff         |

Those not voting were Messrs.:

|                     |                    |                     |
|---------------------|--------------------|---------------------|
| Adams               | Carter             | Howell              |
| Alley               | Childs             | Hubbard             |
| Anderson of Bullock | Cordell            | Joiner              |
| Armistead           | Cowan              | Jones of Meriwether |
| Atherton            | Edmondson          | Jones of Mitchell   |
| Bagley              | Edwards            | Keith               |
| Bailey              | Fender             | Kennedy             |
| Barrett             | Graddick           | Kicklighter         |
| Bell                | Griffin of Sumter  | Lawrence            |
| Berry               | Griffin of Twiggs  | Middlebrooks        |
| Brinson of Emanuel  | Hardman of Jackson | Miller of Ware      |
| Brown of Fulton     | Harvey             | Minter              |
| Buxton              | Hendricks          | Mitchell            |
| Cannon              | Holder of Floyd    | McArthur            |

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| McConnell         | Rentz             | Strong            |
| McWhorter         | Roberts           | Watkins           |
| Parker of Decatur | Sheppard          | Wohlwender        |
| Peacock           | Simmons           | Wood              |
| Pickett           | Simpson           | Wright of Stewart |
| Pope              | Smith of Gilmer   | Mr. Speaker       |
| Redding           | Smith of Tattnall |                   |

By unanimous consent the verification of the roll call was dispensed with.

Upon the adoption of the recommendation of the Committee the ayes were 88, nays, 33. The resolution was lost. The other recommendations were adopted.

Mr. Fullbright, of Burke, moved that when the House adjourn it meet again at 9:30 o'clock tomorrow morning for the transaction of the following order of business.

1. Introduction of new matter.
2. Reports Standing Committees.
3. Reading House bills favorably reported 2nd time.
4. Reading Senate bills a first time.
5. Reading Senate bills favorable reported 2nd time.
6. Passage of local House bills not contested.

7. Passage of local uncontested Senate bills.

The following special orders were read the third time and put upon their passage, to-wit:

By Mr. Smith, of Gilmer—

A bill to establish the City Court of Ellijay in and for the county of Gilmer.

The previous question was called and the main question ordered.

Mr. Hall, of Bibb, moved that the House reconsider its action in ordering the previous question, which motion prevailed.

Mr. Hall proposed the following amendment which was adopted, to-wit:

To amend by striking from Section 27 the following words “not more than two-thirds of” and insert in lieu thereof the word “the.”

The report of the Committee which was favorable to the passage of the bill was agreed to as amended.

On the passage of the bill the ayes were 75, nays, 28.

The bill having failed to receive the requisite Constitutional majority was lost.



Leave of absence was granted—

Mr. Fullbright, of Burke, business.

Mr. Upshaw, of Douglas, business.

Mr. Johnson, of Bartow, business.

Mr. Hulms, of Paulding, business.

Mr. Wight, of Grady, business.

Mr. Graddick, of Crawford, business.

Mr. Couch, of Coweta, business.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.

ATLANTA, GEORGIA,

SATURDAY, JULY 30, 1910.

The House met pursuant to adjournment at 9:30 a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings was dispensed with.

The following bills were read the 1st time, to-wit:

By Mr. Rosser, of Walker—

A bill to amend the charter of LaFayette.

Referred to Committee on Corporations.

By Mr. Barrett, of Stephens—

A bill to appropriate \$2,000 to the State Board of Health.

Referred to Committee on Appropriations.

By Mr. Williams, of Madison—

A bill to authorize the town of Comer to issue bonds for waterworks.

Referred to Committee on Corporations.

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to create a system of Public Schools for the town of Louisville.

Referred to Committee on Education.

By Mr. Alexander, of DeKalb—

A bill to amend the charter of the town of Decatur.

Referred to Committee on Corporations.

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A bill to amend the charter of the town of East Point.

Referred to Committee on Corporations.

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to create a system of Public Schools for Louisville

Referred to Committee on Education.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has considered the following bills of the House and Senate and instruct me, as their Chairman, to report the same back to the House with the following recommendations:

House Bill No. 1055—A bill to authorize the county of Graymont to issue bonds for the construction of roads. Do pass.

House Bill No. 1047—To amend the charter of the city of Lexington. Do pass.

House Bill No. 1053—To provide a new charter for the town of East Lake. Do pass.

House Bill No. 1057—To amend the Act incorporating the town of Norcross. Do pass.

Senate Bill No. 255—To amend an Act incorporating the town of Shady Dale, Jasper Co. Do pass.

Respectfully submitted,

BUTT, Chairman.

Mr. Brown, of Fulton, Chairman of Committee on Hygiene and Sanitation, submitted the following report:

*Mr. Speaker:*

Your Committee on Hygiene and Sanitation has had under consideration House Bill No. 222, and recommends that same do pass by substitute.

GEO. BROWN, Chairman.

W. T. ROGERS, Vice-Chairman.

J. F. JOHNSON, Secretary.

Mr. Barrett, Chairman of the Committee on Penitentiary, submitted the following report:

*Mr. Speaker:*

Your Committee on Penitentiary has had under consideration the bills indicated below, and direct me, as Chairman, to report the same with the recommendation indicated:

House Bill No. 1001—To authorize Prison Commission to maintain convicts while working at State institutions. Do not pass.

House Bill No. 1054—To authorize county physi-

cian in certain counties to employ a nurse for the county convict hospital. Do pass.

FERMOR BARRETT, Chairman.

Mr. MacIntyre, Chairman of Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters having duly considered, make recommendations as to the following bills, to-wit:

That Senate Bill No. 253—To fix pay of clerk of Coms. of Glynn county. Do pass.

That House Bill No. 918—To abolish City Court of Fayetteville. Do pass.

That House Bill No. 1052—To incorporate Marshallville. Do pass.

That House Bill No. 1034—To fix salary of treasurer of Heard county. Do pass.

That House Bill No. 1032—To create county Coms. of Irwin county Do pass.

That House Bill No. 1051—To change county Coms. Macon county. Do pass.

That House Bill No. 1049—To amend county Coms., Laurens county. Do pass.

That House Bill No. 224—Do pass.

Respectfully submitted,

MACINTYRE, Chairman.

Mr. Hall, Chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the House and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to regulate the manner of filing defenses in the Superior and County Courts of this State.

A bill to amend Primary Election Act, approved August 15th, 1906.

A bill to provide for holding of four terms of Superior Court of Crisp county.

A bill to provide service by publication in cases of divorce under certain conditions.

Also the following resolution of the House with the recommendation that author be allowed to withdraw same.

A resolution relating to the Ducktown situation.

Also the following bills of the House with the recommendation that same do not pass, to-wit:

A bill to make the wife a competent witness to testify against the husband in certain cases.

A bill to prohibit assignment of wages, subject to garnishment.

A bill to prohibit assignment of wages not subject to garnishment.

A bill to declare women eligible to hold office of commercial notary public.

A bill to re-arrange Judicial Circuits of this State.

A bill to repeal Section 1110, Volume 3, Penal Code, relative to fees of Justices of the Peace.

A bill to prescribe manner of carrying pistols.

A bill to regulate the cutting of timber on land of another.



A bill to amend Section 5017 relative to make heirs to estate parties to suit.

Respectfully submitted,

Jos. H. HALL, Chairman.

The following House bills were read the 2nd time, to-wit:

By Mr. Hill, of Monroe—

A bill to amend an Act regulating the holding of primary elections.

By Messrs. Simpson and McConnell—

A bill to authorize the county of Gwinnett to issue bonds for the improvement of public roads.

By Mr. Alexander, of DeKalb—

A bill to provide a new charter for the town of East Lake.

By Mr. Fields, of Crisp—

A bill to provide for holding four terms of the Superior Court of Crisp county.

By Mr. Garlington, of Richmond—

A bill to regulate the manner of filing defenses in the Superior and City Courts of this State.

By Mr. Armistead, of Oglethorpe—

A bill to amend an Act to amend the charter of the city of Lexington.

By Mr. Martin, of Lee—

A bill to provide service by publication in cases of divorce.

By Messrs. Simpson and McConnell—

A bill to amend an Act to incorporate the town of Norcross.

By Messrs. McCarthy, Lawrence and Anderson—

A bill to authorize county physicians in certain counties to employ a nurse for county convict hospital.

By Mr. McMahan, of Clarke—

A bill to require County Boards of Commissioners in certain counties to work roads running through certain incorporated towns.

The above bill was recommitted.

By Mr. Reid, of Macon—

A bill to amend Acts to incorporate the town of Marshallville.

By Mr. McCutchen, of Heard—

A bill to fix a salary for the treasurer of Heard county.

By Mr. Reid, of Macon—

A bill to amend an Act to create a Board of Commissioners for the county of Macon.

By Mr. McCutchen, of Heard—

A resolution relative to boundary line between Georgia and Alabama.

By Mr. Fender, of Lowndes—

A bill to require County Commissioners of Lowndes county to work public roads running through incorporated towns.

By Mr. Henderson, of Irwin—

A bill to create a Board of Commissioners of Roads and Revenues for county of Irwin.

The following Senate bills were read the 2nd time, to-wit:

By Mr. Akin, of 4th district—

A bill to authorize Commissioners of Glynn county to fix salary of clerk thereof.

By Mr. Blackwell, of 28th district—

A bill to amend an Act to incorporate the town of Shady Dale.

The following House bills were read the 3d time and put upon their passage, to-wit:

By Mr. Lewis, of Hancock—

A bill to amend an Act to create a system of public schools for the town of Sparta.

The following amendment was adopted:

To amend by striking Section 2 and substituting the following:

SEC. 2. Be it further enacted by the authority aforesaid that all vacancies hereafter occurring in the Board of Education as now constituted shall be filled as follows: The mayor and aldermen of said city shall fill such vacancy at any regular meeting of the city council by an election therefor; the per-

son so elected shall serve until the next municipal election for mayor and aldermen when his successor shall be elected by the qualified voters of said city and when so elected he shall fill said office as now provided by law."

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 114, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Johnson, of Towns—

A bill to authorize the giving away of lemonade, ice cream, etc., in the town of Young Harris.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Fullbright, of Burke—

A bill to amend the charter of the city of Waynesboro.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid, of Macon—

A bill to amend Act to incorporate the town of Oglethorpe.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate bill was read the 3rd time and put upon its passage, to-wit:

By Mr. Burwell, of 20th district—

A bill to amend an Act to create the charter of the city of Sparta.

The following Committee amendment was adopted:  
To amend Section 11 by inserting after the word “recorder” in line three the word “who shall be neither mayor or alderman of said city.” Also

To amend by striking Section 5 of said bill.

To amend Section 18 by adding at the end thereof the following proviso: “*Provided*, That in case the fund raised under this Section shall be more than sufficient to maintain said public schools the excess shall be covered in the treasury and be available for the payment of any liability of said city.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

Leave of absence was granted—

Mr. Allen, of Upson, business.

The Speaker then announced the House adjourned until 9:30 o'clock Monday morning.

## ATLANTA, GEORGIA,

MONDAY, August 1, 1910.

The House met pursuant to adjournment at 9:30 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Fairecloth          |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bullock | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converse  | Godley              |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Emanuel  | Edwards   | Helms               |
| Brinson of Decatur  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hill                |
| Brown of Murray     | Evans     | Holder of Floyd     |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simmons           |
| Hullender             | McCarthy            | Simpson           |
| Huie                  | McConnell           | Slade             |
| Johnson of Bartow     | McCrary             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnall |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Oliver              | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kicklighter           | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Pierce              | Waddell           |
| Littleton             | Pope                | Walters           |
| Lord                  | Porter              | Wasden            |
| Lovejoy               | Price               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | Williams          |
| Miller of Calhoun     | Reid of Campbell    | Wohlwender        |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Mitchell              | Roberts             | Wright of Floyd   |
| Moore                 | Rogers              | Wright of Stewart |
| Moss                  | Rosser              | Mr. Speaker       |

Mr. Minter was absent.

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

By unanimous consent the following Senate bill was read the second time and recommitted, to-wit:

By Messrs. Mathews, of 23d district; Akin, of 4th district—

A bill to provide for State and County Boards of Tax returns.

By unanimous consent the following House bills were read the 2d time and recommitted to the Committee on Education, to-wit:

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to create a system of Public Schools for the town of Louisville. App. Dec. 20, 1893.

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to create a system of Public Schools for the town of Louisville. App. Dec. 20, 1893.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to provide for the transfer of registered

maps of municipalities, where such municipalities have been located in a new county.

A bill to provide for assessing and collecting taxes, where such taxes are authorized and no adequate provision is made in the Act authorizing the same, or in the general law.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to authorize lease of certain grounds belonging to 4th district A. and M. College, of Carroll county.

A bill to repeal an Act creating the office of Commissioner of Roads and Revenues for the county of Madison.

The following Senate bill was read the third time and put upon its passage, to-wit:

By Mr. Blackwell, of 28th district—

A bill to amend an Act to incorporate the town of Shady Dale.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. McCutchen, of Heard—

A bill to fix the salary of the County Treasurer of Heard county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 94, nays, 1.

The bill having received the requisite Constitutional majority was passed.

By Mr. Henderson, of Irwin—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Irwin.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Vinson, of Baldwin—

A bill to provide for the appointment of Trustees of the Georgia State Sanitarium; to prescribe their terms of office, and for other purposes.

On motion of Mr. Heard, of Dooley, the bill was tabled.

By Mr. Pickett, of Terrell—

A bill to regulate the deposits of insurance companies with the State Treasurer, and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102, nays, 4.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to amend an Act regulating the time that Railroad Charters become dormant and providing how forfeitures may be prevented, and for other purposes.

The substitute offered by the Committee was adopted.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 96, nays, 4.

The bill having received the requisite Constitutional majority was passed by substitute.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the substitute of the House with an amendment to the following Senate bill, to-wit:

A bill to create a new charter for the city of Cuthbert.

On motion of Mr. Smith, of Gilmer, the House

reconsidered its action in defeating House Bill No. 751 to create the City Court of Ellijay.

On motion of Mr. Littleton, of Richmond the House reconsidered its action in disagreeing to the recommendation of the Rules Committee on last Friday, which proposed to set as a special order the Compulsory Education Bill.

The following resolution was read and adopted, to-wit:

By Mr. Anderson, of Chatham—

A resolution extending the sympathy of the House to Hon. J. H. Roberts in the death of his father.

The following resolution was read, to-wit:

By Mr. Smith, of Gilmer—

A resolution to make House Bill No. 751 a special order.

Referred to Committee on Rules.

House Bill No. 112, to create the new county of Cleveland was tabled.

The following resolution was adopted, to-wit:

By Mr. Butt, of Fannin—

A resolution tendering the sympathy of the House to the family of Hon. J. G. Carlisle, deceased.

The following bills which were special orders for this time were read the third time and put upon their passage, to-wit:

By Mr. Persons, of Monroe—

A bill to amend Article 8, Section 1 of the Constitution.

On motion of Mr. Hall, of Bibb, the above bill was tabled.

By Mr. Edwards, of Walton—

A bill to amend the Constitution so as to provide for appointment of all Judges and Solicitors-General by the Governor.

On motion of Mr. Hall, of Bibb, the above bill was tabled.

By Mr. Edwards, of Walton—

A bill to amend the Constitution so as to empower the Governor to borrow \$600,000 to supply casual deficiencies.



Mr Hall, of Bibb, moved that the above bill be tabled and no quorum having voted the Speaker directed a call of the roll and the vote on the motion to table was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                  |
|---------------------|---------------------|------------------|
| Alexander of Fulton | Ellison             | Miller of Ware   |
| Allen               | English             | Milikin          |
| Alley               | Evans               | Mitchell         |
| Armistead           | Faireloth           | Moore            |
| Atkinson            | Fields of Crisp     | Moss             |
| Barksdale           | Ford                | MacFarland       |
| Baker               | Fullbright          | MacIntyre        |
| Berry               | Godley              | Oliver           |
| Boyd                | Graddick            | Parker of Talbot |
| Brinson of Decatur  | Guyton              | Peacock          |
| Brinson of Emanuel  | Hall                | Pickett          |
| Brown of Carroll    | Harrington          | Pierce           |
| Brown of Henry      | Heard               | Reaves           |
| Burch               | Helms               | Redding          |
| Cannon              | Henderson of Irwin  | Reid of Campbell |
| Carter              | Henderson of Turner | Rentz            |
| Chandler            | Holtzelaw           | Rogers           |
| Converse            | Johnson of Towns    | Shirley          |
| Cooke               | Joiner              | Smith of Walton  |
| Cowan               | Jones of Meriwether | Stovall          |
| Culberson           | Kelley              | Stubbs of Putnam |
| Cureton             | Kendrick            | Vinson           |
| Edmondson           | Kicklighter         | Wasden           |
| Elder               | Lewis               | Wright of Floyd  |
| Ellis               | Lord                |                  |

Those voting in the negative were Messrs.:

|                     |            |                       |
|---------------------|------------|-----------------------|
| Adams               | Davis      | Gastley               |
| Alexander of DeKalb | Dickson    | Hatfield              |
| Ault                | Drawdy     | Huie                  |
| Bailey              | Edwards    | Johnson of Bartow     |
| Barrett             | Garlington | Johnson of Jeff Davis |

|                    |                   |                  |
|--------------------|-------------------|------------------|
| Jones of Laurens   | Persons           | Tippins          |
| Keith              | Porter            | Turner           |
| Kirby              | Reese             | Upshaw           |
| Littleton          | Roberts           | Waddell          |
| McCarthy           | Sheppard          | Walters          |
| McConnell          | Simmons           | Watkins          |
| McCrory            | Simpson           | White of Screven |
| McCurry            | Slade             | Whiteley         |
| McCutehen          | Smith of Tattnall | Wohlwender       |
| McElreath          | Strong            | Woodliff         |
| McMahan            | Stubbs of Thomas  |                  |
| McMichael of Butts | Tarver            |                  |

Those not voting were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Anderson of Bullock |                     | McArthur            |
| Anderson of Chatham | Hardeman of Jeffs'n | McMichael of Marion |
| Atherton            | Hardman of Jackson  | McWhorter           |
| Bagley              | Harvey              | Parker of Decatur   |
| Beacham             | Hendricks           | Paulk               |
| Bell                | Hill                | Pope                |
| Booker              | Holder of Floyd     | Price               |
| Brown of Fulton     | Howell              | Proctor             |
| Brown of Murray     | Hubbard             | Reid of Macon       |
| Butt                | Hullender           | Rosser              |
| Buxton              | Jones of Mitchell   | Smith of Gilmer     |
| Calbeck             | Kennedy             | Tracey              |
| Carswell            | Kidd                | Tuggle              |
| Childs              | Lawrence            | Turnipseed          |
| Cordell             | Lovejoy             | Wight of Grady      |
| Couch               | Martin              | Williams            |
| Daniel              | Meadows of Telfair  | Wood                |
| Fender              | Meadows of Toombs   | Wright of Stewart   |
| Field of DeKalb     | Middlebrooks        | Mr. Speaker         |
| Gillis              | Miller of Calhoun   |                     |
| Griffin of Sumter   | Minter              |                     |

The roll call developed that 123 members were present and the verification was dispensed with.

On motion to table the ayes were 74, nays, 49.

The motion therefore was lost.

The following resolution was read, to-wit:

By Mr. Lewis, of Hancock—

A resolution to make House Bill No. 915 a special order.

Referred to Committee on Rules.

Mr. Butt, of Fannin, moved to adjourn, which motion prevailed and the business for which the session was extended was taken up.

The following bills were read the first time, to-wit:

By Mr. Moss, of Cobb—

A bill to relieve the disabilities of certain Confederate soldiers.

Referred to Committee on Pensions.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a system of public schools for the city of Marietta.

Referred to Committee on Education.

By Messrs. Moss and Daniel—

A resolution to pay pension to the widow of Daniel Reed.

Referred to Committee on Pensions.

By Mr. Moss, of Cobb—

A resolution to pay pension due W. S. Dodgen to Mrs. M. J. Green.

Referred to Committee on Pensions.

By Messrs. Simpson and McConnell—

A bill to amend the charter of the city of Buford.

Referred to Committee on Corporations.

By Mr. Ellison, of Harris—

A bill to fix the salary of the Treasurer of Harris county

Referred to Committee on Counties and County Matters.

By Mr. Miller, of Ware—

A bill to require corporations to have regular pay days.

Referred to Committee on Corporations.

By Mr. Waddell, of Haralson—

A bill to fix the salary of the Treasurer of Haralson county.

Referred to Committee on Counties and County Matters.

By Mr. Peacock—

A bill to amend an Act to incorporate the town of Mitchells.

Referred to Committee on Corporations.

By Mr. Walters, of Colquitt—

A bill to incorporate the town of Berlin.

Referred to Committee on Corporations.

The following House bill was read the 2d time, to-wit:

By Mr. Wright, of Floyd—

A bill to prohibit book making, pool-selling, etc.

The following Senate bill for which the House offered a substitute was taken up and the Senate amendments to the House substitute agreed to, to-wit:

By Mr. Irwin, of 11th district—

A bill to create the City Court of Cuthbert.

The House also concurred in the Senate amendments to the following House bill, to-wit:

By Mr. Adams, of Hall—

A bill to incorporate the town of Candler.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent 200 copies of Senate Bill No. 198 were ordered printed.

By unanimous consent it was ordered that the House meet tomorrow at 9 a. m. and adjourn at 2 p. m. and that no afternoon session be held.

Mr. Reid, Chairman of the Committee on Ways and Means, submitted the following report:

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration Senate Bill No. 198 by Messrs. Mathews, of 23d district and Akin of 4th district, being a bill to provide for State and county boards of tax returns, and for other purposes. And they instruct me, as their Chairman, to report the same back to the House with the recommendation that the same do pass as amended.

Respectfully submitted,

C. S. REID, Chairman.

The following message was received from the Governor through his Secretary Mr. Blackburn.

*Mr. Speaker:*

I am directed by His Excellency, the Governor to transmit the accompanying message to the House of Representatives and respectfully request due consideration of the same.

W. W. LARSEN,

Secretary Executive Department.

Aug. 1st, 1910.

STATE OF GEORGIA  
EXECUTIVE DEPARTMENT  
ATLANTA.

August 1st, 1910.

*To the General Assembly:*

I herewith send you copy of a statement made by the Treasurer, showing the available cash balance in the Treasury on July 15th, 1910, and the estimated available balance on September 1st, 1910, etc.

From this statement you will note that the estimated available balance on September 1st will be \$20,871.25.

I also enclose you a statement of the school fund for 1910, from which you will note that there is due on 1909 account a balance of \$12,144.82. This, I am advised, if called for before September 1st, would be deducted from \$20,871.25, the estimated available balance, leaving on the latter account only \$8,726.43.

You will note that there is a balance due and unpaid to the schools on the 1910 appropriation of \$1,807,883.08, a large portion of which, of course, has not yet been earned.

Unless there be some extraordinary receipts, not expected by the Treasurer, before September 1st, it will be necessary for me to borrow on about that date probably about \$100,000 to pay the current ex-



penses of the State Government, the State Sanitarium, etc., for September, and as much during October and November to meet the same expenses during those months.

I submit the foregoing figures that you may have them in mind in making extra appropriations which may fall due within the next two or three months.

Respectfully submitted,

JOSEPH M. BROWN,

Governor.

STATE OF GEORGIA  
TREASURY DEPARTMENT  
ATLANTA, GA.

ATLANTA, GA., July 16, 1910.

|  |              |
|--|--------------|
| Balance in Treasury July 15, 1910-----   | \$354,666.03 |
| Sinking fund, etc., held in reserve----- | 168,000.00   |

---

|   |              |
|---|--------------|
| Available cash balance in Treasury July |              |
| 15, 1910 -----                          | \$186,666.03 |

---

|  |              |
|--|--------------|
| Cash received in July, 1909-----       | \$203,691.79 |
| Cash received July 15, 1910, inc.----- | 130,198.04   |

---

|   |              |
|---|--------------|
| Estimate to be received to Aug. 1, 1910-- | \$ 73,493.75 |
|---|--------------|

Receipts for Aug., 1909, used as estimate  
of receipts for Aug., 1910----- 86,322.20

---

Probable receipts to Aug. 30, inc.-----\$159,815.95

---

Disbursements July, 1909, by warrant\_\_\$170,336.63

Disbursements July 15, 1910, inc.----- 112,505.40

---

\$ 57,831.23

Disbursements by warrant August, 1909,  
used as estimate for Aug., 1910\_\_\_ 162,632.75

---

Est. disb. by warrant to Aug. 30, inc.----\$220,463.98

Estimated cash advances.

Civil establishment -----\$ 20,000.00

Coupon interest ----- 40,000.00

Legislative payroll ----- 45,146.75

---

\$105,146.75    \$105,146.75

---

Total estimate of disbursements-----\$325,610.73

---

Available cash balance July 15, 1910----\$186,666.03

Estimated receipts to Aug. 30, 1910, inc.\_ 159,815.95

---

\$346,481.98

Less est. disb. by warrants and cash---- 325,610.73

---

Estimated available balance Sept. 1, 1910 \$ 20,871.25

Respectfully submitted as per your request of  
15th inst.

(Signed) J. P. BROWN, Treasurer.

To Hon. Jos. M. Brown, Governor.

#### STATEMENT SCHOOL FUND 1909 AND 1910.

|                                 |               |
|---------------------------------|---------------|
| Balance 1908 appropriation_____ | \$ 726,266.28 |
| Appropriations for 1909_____    | 2,250,000.00  |

|                             |                |
|-----------------------------|----------------|
| Total for the year_____     | \$2,976,266.28 |
| Paid 1908 balance_____      | \$ 726,266.28  |
| Paid on 1909 appropriations | 446,736.58     |

---

1,173,002.86

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Due Sept. 1st, 1909, on appropriations\_\$1,803,263.42  
Paid 19 18 21 % to Sept. 1st, 1909.

—1910—

|                                 |               |
|---------------------------------|---------------|
| Balance 1909 appropriation_____ | \$ 553,423.21 |
| Appropriation for 1910_____     | 2,250,000.00  |

|                             |                |
|-----------------------------|----------------|
| Total for the year_____     | \$2,803,423.21 |
| Paid on 1909 balance_____   | \$541,305.39   |
| Paid on 1910 appropriations | 434,509.22     |

---

975,817.61

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Balance due July 20, 1910\_\_\_\_\_ \$1,827,605.60

|  |                |
|--|----------------|
| Included in estimate of \$20,871.25 net<br>available on Sept. 1st-----   | 7,607.70       |
| which, if paid, will make 19 14 21 %<br>paid on 1910 appropriation, and<br>leave a balance due and unpaid<br>to the schools----- | \$1,819,997.90 |
| including the balance due on 1909 bal-<br>ance of -----  | 12,114.82      |
| <hr/>  |                |
| or a net balance due on 1910 appropria-<br>tions of -----  | \$1,807,883.08 |

Respectfully submitted,

(Signed) J. P. BROWN, Treasurer,

Per Ben F Perry

July 20, 1910.

The following special orders were read the third time and put upon their passage, to-wit:

By Mr. Hall, of Bibb—

A bill to amend Paragraph 8, Section 1, Article 5 of the Constitution so as to provide for the succession of the Governor.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

The vote was had but before the result could be announced Mr. Anderson, of Chatham, moved that the bill and aye and nay vote be postponed until tomorrow morning which motion prevailed.

On motion of Mr. Anderson action on all Constitutional amendments which were set as special orders was postponed until tomorrow morning immediately after expiration of unanimous consents and educational bills were taken up in their stead.

On motion of Mr. Anderson individual speeches were limited to ten minutes on the educational bills to take the place of displaced special orders.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Wood, of Banks—

A bill to amend an Act to amend Section 1378, Volume 1 of the Code relative to admission to the Common Schools.

On motion of Mr. Adams, of Hall, the above bill was tabled owing to the absence of the author.

By Mr. Middlebrooks, of Newton—

A bill to make valid and binding any contract, promissory note, etc., made by a minor for a loan for educational purposes.

The Committee proposed the following amendment which was adopted.

To amend by inserting between the words “age” and “for” in Section 2, line 6, the words “with the consent of his parent or legal guardian if any.”

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Upshaw, of Douglas—

A bill to amend an Act to amend an Act to provide for the creation of local tax district schools.

The following amendment was adopted:

To amend by striking the words “land lot” and insert the words “land lot” in Section 1, line 36.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Hardman, of Jackson—

A bill to make the President of the Board of Trustees of the State College of Agriculture and Mechanical Art, ex-officio a member of the Board of Trustees of the University of Georgia.

The following amendment was adopted to amend by striking the words “and Mechanical Arts” in lines two and three.

The favorable report as amended was agreed to.

On the passage of the bill the ayes were 107; nays, 0.

The bill having received the requisite Constitutional majority, was passed as amended.

By Messrs. Alexander, Brown and McElreath, of Fulton—

A bill to amend an Act providing for the election of County School Commissioner by the people.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99; nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. McMichael, of Marion, and Barrett, of Stephens—

A bill to provide for municipal elections to determine the question of local taxation for public schools.

The following Committee amendment was adopted: To amend by striking from the last line of Section 5 the word “six” and inserting the word “twelve.”

The report of the Committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 94; nays 3.

The bill having received the requisite Constitutional majority was passed as amended.

The following Senate Bills were read the third time and put upon their passage to-wit:

By Mr. Thompson, of 33rd District—

A bill to authorize the Chairman of the Board of Trustees of the University of Georgia to appoint



three members from said Board upon each of the branch Colleges, of the State University.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 0.

The bill having received the required Constitutional majority was passed.

By Mr. Thompson, of 33rd District—

A bill to make the President of the Board of Trustees of the State Normal School, ex-officio a member of the Board of Trustees of the State University.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 97; nays 1.

The bill having received the requisite Constitutional majority was passed.

By Mr. Persons, of Monroe—

A bill to revise the school laws so as to substitute a County Superintendent of Schools for County School Commissioner.

On motion of Mr. Hall, of Bibb, the above bill was tabled.

On motion of Mr. Hall, of Bibb 200 copies of the Committees substitute for House Bills Nos. 201, 202, and 203, were ordered printed.

Leave of absence was granted Mr. Beacham, of Dooly—sickness.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

ATLANTA, GA.,

TUESDAY, August 2, 1910.

The House met pursuant to adjournment at 9 o'clock A. M. this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Faircloth           |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bullock | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converse  | Godley              |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Decatur  | Edwards   | Helms               |
| Brinson of Emanuel  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hell                |
| Brown of Murray     | Evans     | Holder of Floyd     |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Sheppard          |
| Howell                | MacIntyre           | Shirley           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Simmons           |
| Huie                  | McConnell           | Slade             |
| Johanson of Bartow    | McCrory             | Smith of Gilmer   |
| Johnson of Jeff Davis | McCurry             | Smith of Tattnall |
| Johnson of Towns      | McCutchen           | Smith of Walton   |
| Joiner                | McElreath           | Stovall           |
| Jones of Laurens      | McMahan             | Strong            |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Putnam  |
| Jones of Mitchell     | McMichael of Marion | Stubbs of Thomas  |
| Keith                 | McWhorter           | Tarver            |
| Kelley                | Oliver              | Tippins           |
| Kendrick              | Parker of Decatur   | Tracey            |
| Kennedy               | Parker of Talbot    | Tuggle            |
| Kiekligher            | Paulk               | Turner            |
| Kidd                  | Peacock             | Turnipseed        |
| Kirby                 | Persons             | Upshaw            |
| Lawrence              | Pickett             | Vinson            |
| Lewis                 | Pierce              | Waddell           |
| Littleton             | Pope                | Walters           |
| Lord                  | Porter              | Wasden            |
| Lovejoy               | Price               | Watkins           |
| Martin                | Proctor             | White of Screven  |
| Meadows of Telfair    | Reaves              | Whiteley          |
| Meadows of Toombs     | Redding             | Wight of Grady    |
| Middlebrooks          | Reese               | Williams          |
| Miller of Calhoun     | Reid of Campbell    | Wohlwender        |
| Miller of Ware        | Reid of Macon       | Wood              |
| Milikin               | Rentz               | Woodliff          |
| Minter                | Roberts             | Wright of Floyd   |
| Mitchell              | Rogers              | Wright of Stewart |
| Moore                 | Rosser              | Mr. Speaker       |
| Moss                  |                     |                   |

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were read the third time, to-wit:

By Mr. Armistead, of Oglethorpe—

A bill to amend an Act to amend the Charter of Lexington.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Simpson and McConnell, of Gwinnett—

A bill to authorize the county of Gwinnett to issue bonds for the improvement of public roads.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Drawdy, of Clinch—

A bill to amend Section 5261, Volume 2, of the Code which provides for the payment of witness fees.

The substitute offered by Mr. Drawdy was adopted.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to by substitute.

On the passage of the bill the ayes were 102; nays, 7.

The bill having received the requisite Constitutional majority was passed by substitute.

By unanimous consent House Bill No. 980, was taken from the table and placed on the calendar.

On motion of Mr. Anderson, of Chatham House Resolution No. 216 was tabled.

By unanimous consent it was ordered that the last 15 minutes of this morning's session be devoted to the introduction of new matter, reading House and Senate bills second time and placing on their passage uncontested local bills and City Court bills.

By unanimous consent the following bills were read the third time, to-wit:

By Mr. Brown, of Fulton—

A bill to regulate the sanitary condition of Hotels, etc.

On motion of Mr. Hall, of Bibb, the bill was tabled.

By Mr. White, of Screven—

A bill to amend an Act to fix the term of office of the Commissioner of Pensions.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102; nays 2.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of DeKalb—

A bill to regulate the employment of minors in the messenger service, and for other purposes.

The hour for unanimous consents having expired the above bill was carried over as unfinished business.

Mr. Culberson, of Lincoln, moved that the House reconsider its action in defeating House Bill No. 800, which motion prevailed.

Mr. Kendrick, Vice-Chairman of the Committee on Temperance, submitted the following report:

*Mr. Speaker:*

Your Committee on Temperance has had under consideration, House Bill No. 939, to prevent the adulteration of soft drinks, and instruct me as their Vice-Chairman to report the same back with the recommendation that it do not pass.

Respectfully submitted,

J. R. KENDRICK, Vice-Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House and Senate and instruct me as their Chairman to report same back to the House with the following recommendations:

Senate Bill No. 257, to amend Act incorporating the town of Soperton. Do pass.

House Bill No. 1066, to authorize the town of Comer to hold election for bonds for waterworks. Do pass.

House Bill No. 1060, to amend the charter of the city of LaFayette. Do pass.



House Bill No. 1058, to incorporate the town of Ranger. Do pass.

House Resolution No. 271, to provide for a joint committee to report to the next General Assembly a classification of municipal corporations and general system of charters. Do not pass.

BUTT, Chairman.

Mr. Fullbright, Chairman of Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me as their Chairman to report them with the following recommendations:

Senate Bill No. 213, to amend Code Section No. 1496, regulating the issuing of pharmacists' licenses. Do not pass.

House Resolution No. 273, to pay T. F. Cobb \$150.00 paid on bond forfeiture. Do not pass.

House Bill No. 1038, to authorize the Grand Jury of Appling to employ a stenographer. Do not pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Parker, Chairman of Committee on Railroads, submitted the following report:

*Mr. Speaker:*

Your Committee on Railroads, having had under consideration Senate Bill No. 227, instructs me as Chairman to report same back with recommendation that it do pass by substitute as amended.

Respectfully submitted,

W. M. PARKER, Chairman.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. Speaker:*

Your Committee on Constitutional Amendments has had under consideration Senate Bill No. 219, and has authorized me as their Chairman to report the same back to the House with the recommendation that the same do pass.

PERSONS, Chairman.

Mr. McMichael, Chairman of the Committee on Education submitted the following report:

August 2, 1910.

*Mr. Speaker:*

Your Committee on Education has considered House Bills Nos. 1064, 1065 and 1067, and report that they do pass.

E. H. McMICHAEL, Chairman.

Mr. Johnson, of Bartow, Chairman of the Committee on General Agriculture, submitted the following report:

*Mr. Speaker:*

Your Committee on General Agriculture have had under consideration the following House Bills Nos. 636, 720, 955 and 1048 and have instructed me as their Chairman to report same back to the House with recommendation that same do not pass, to-wit:

House Bill No. 636, a bill to reduce fertilizer fee from ten cents to five cents. Do not pass.

House Bill No. 720, a bill to provide a Sub-Experiment Station in Hall County, to make appropriation therefor and other purposes. Do not pass.

House Bill No. 955, a bill making certain Acts in stock law counties, misdemeanors and for other purposes. Do not pass.

House Bill No. 1048, a bill to provide for the regulation, inspection and grading of grain and hay, and for other purposes. Do not pass.

Respectfully submitted

M. L. JOHNSON, of Bartow, Chairman.

Mr. Keith, Chairman of the Committee on Public Property submitted the following report:

*Mr Speaker:*

Your Committee on Public Property having had under consideration House Resolution No. 240, recommend that same do pass.

KEITH, Chairman.

August 1, 1910.

The following bill which was up for passage on yesterday and on which the completion of the calling of the ayes and nays was postponed until today, was taken up and call of the ayes and nays thereon completed to-wit:

By Mr. Hall, of Bibb—

A bill to be entitled an Act to amend Paragraph 8, Section 1, Article 5, of the Constitution of Georgia.

The following amendment to the Constitution of the State of Georgia is hereby proposed by the House

of Representatives of the General Assembly of said State.

That Paragraph 8, Section 1, Art. 5, of the Constitution of said State be amended by adding at the end of said Paragraph the following words, to-wit:

“In case of vacancy in the offices of President of the Senate and Speaker of the House of Representatives, the Executive power of the government until the removal of the disability or the election and qualification of the Governor, shall be exercised by the Secretary of State, and in case that office be vacant, by the Comptroller-General.”

That when the above and foregoing amendment has been agreed to by two-thirds of the members of each House of the present Assembly, it shall be the duty of the Governor, and he is hereby directed to cause same to be published in one or more newspapers in each Congressional District in this State, two months before the next general election; and the Governor of this State is further required and directed, after having said amendment so published as aforesaid to submit the same to the people at the said next general election for their ratification or rejection.

The form of such submission shall be as follows. to-wit:

“For ratification of amendment to Paragraph 8, Section 1, Article 5, of the Constitution.”

“Against ratification of amendment to Paragraph 8, Section 1, Article 5, of the Constitution.”

The aye and nay vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                       |
|---------------------|---------------------|-----------------------|
| Adams               | Cowan               | Heard                 |
| Alexander of DeKalb | Culberson           | Helms                 |
| Alexander of Fulton | Cureton             | Henderson of Irwin    |
| Allen               | Daniel              | Henderson of Turner   |
| Alley               | Davis               | Hendricks             |
| Anderson of Bullock | Dickson             | Hill                  |
| Anderson of Chatham | Drawdy              | Holtzelaw             |
| Armistead           | Edmondson           | Howell                |
| Atherton            | Edwards             | Hullender             |
| Ault                | Elder               | Huie                  |
| Barksdale           | Ellis               | Johnson of Bartow     |
| Bailey              | Ellison             | Johnson of Jeff Davis |
| Baker               | English             | Johnson of Towns      |
| Barrett             | Evans               | Joiner                |
| Berry               | Fairecloth          | Jones of Laurens      |
| Brinson of Decatur  | Field of DeKalb     | Jones of Meriwether   |
| Brown of Carroll    | Fields of Crisp     | Keith                 |
| Brown of Fulton     | Ford                | Kelley                |
| Brown of Henry      | Fullbright          | Kendrick              |
| Brown of Murray     | Garlington          | Kennedy               |
| Burch               | Gastley             | Kirby                 |
| Butt                | Gillis              | Lewis                 |
| Buxton              | Godley              | Lord                  |
| Calbeck             | Graddick            | Lovejoy               |
| Carswell            | Griffin of Sumter   | Martin                |
| Carter              | Hall                | Meadows of Telfair    |
| Chandler            | Hardeman of Jeffs'n | Meadows of Toombs     |
| Childs              | Harrington          | Miller of Ware        |
| Converse            | Harvey              | Milikin               |
| Cooke               | Hatfield            | Mitchell              |

|                     |                   |                  |
|---------------------|-------------------|------------------|
| Moore               | Pierce            | Stubbs of Thomas |
| MacFarland          | Popo              | Tarver           |
| MacIntyre           | Porter            | Tippins          |
| McCarthy            | Peaves            | Tracey           |
| McConnell           | Reese             | Turner           |
| McCrory             | Reid of Campbell  | Turnipseed       |
| McCurry             | Rentz             | Upshaw           |
| McCutchen           | Roberts           | Vinson           |
| McElreath           | Rogers            | Walters          |
| McMahan             | Sheppard          | Wasden           |
| McMichael of Butts  | Shirley           | Watkins          |
| McMichael of Marion | Simpson           | White of Screven |
| McWhorter           | Slade             | Whiteley         |
| Oliver              | Smith of Gilmer   | Wohlwender       |
| Parker of Decatur   | Smith of Tattnall | Wood             |
| Parker of Talbot    | Smith of Walton   | Woodliff         |
| Persons             | Stovall           |                  |
| Pickett             | Strong            |                  |

Those not voting were Messrs.:

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Atkinson           | Holder of Floyd   | Pricc             |
| Bagley             | Hubbard           | Proctor           |
| Beacham            | Jones of Mitchell | Redding           |
| Bell               | Kicklighter       | Reid of Macon     |
| Booker             | Kidd              | Rosser            |
| Boyd               | Lawrence          | Simmons           |
| Brinson of Emanuel | Littleton         | Stubbs of Putnam  |
| Cannon             | Middlebrooks      | Tuggle            |
| Cordell            | Miller of Calhoun | Waddell           |
| Couch              | Minter            | Wight of Grady    |
| Fender             | Moss              | Williams          |
| Griffin of Twiggs  | McArthur          | Wright of Floyd   |
| Guyton             | Paulk             | Wright of Stewart |
| Hardman of Jackson | Peacock           | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 142; nays 0.

The bill having received the requisite two-thirds Constitutional majority was passed.

The following message was received from the Senate through Mr Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Bills of the House, to-wit:

A bill to amend an Act to provide a new charter for the town of East Point.

A bill to prohibit betting on elections or primaries.

A bill to provide a system of registration of voters for Fort Gaines.

A bill to create a new charter for the town of Camack.

A bill to amend an Act to authorize the Mayor and Council of Savannah to require the grading and paving of streets or lanes, and make and collect assessments for same.

A bill to create a new charter for the town of Statham.



A bill to repeal an Act to alter and amend the Road Laws of Georgia, as applicable to the counties of Gordon, Whitfield and Murray, so far as the same applies to the County of Gordon.

A bill to create a new charter for the town of Luthersville.

A bill to incorporate the town of Ellenton, in the County of Colquitt.

A bill to amend an Act to incorporate the town of Pineview.

A bill to incorporate the town of Wilburn, in the County of Franklin.

A bill to create a system of public schools for the town of Powder Springs, in the county of Cobb.

A bill to amend the charter of the town of Martin.

A bill to amend the charter of city of College Park in the county of Fulton.

A bill to amend the charter of the town of Helena, in the county of Telfair.

A bill to provide a new charter for the town of Arlington.

A bill to amend an Act to incorporate the town of Edison.

A bill to amend the charter of the town of Austell, in the county of Cobb.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for Dodge county.

A bill to amend and revise the several Acts incorporating the town of Cumming.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to allow County Commissioners in certain counties to condemn land for road purposes.

A bill to amend Section 2166 of the Code of Georgia of 1895, and Act amendatory thereof, in reference to certificates of incorporation of railroad companies, etc.

A bill to amend an Act to establish the City Court of Swainsboro, in and for the county of Emanuel.

The following special order was taken up for the purpose of disagreeing to the unfavorable report of the Committee to-wit:

By Mr. Price, of 27th district—

A bill to amend Paragraph 1, Section 2, Article 11, of the Constitution so as to provide for the abolition of the office of County Treasurer.

Mr Hall, of Bibb moved to table the bill and on that motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                  |
|---------------------|-----------------------|------------------|
| Alexander of Fulton | Gayton                | McWhorter        |
| Ault                | Hall                  | Olive            |
| Barrett             | Heard                 | Persons          |
| Bell                | Holtzelaw             | Rentz            |
| Berry               | Howell                | Roberts          |
| Brown of Carroll    | Hullender             | Slade            |
| Burch               | Johnson of Jeff Davis | Smith of Walton  |
| Calbeck             | Jones of Laurens      | Strong           |
| Carswell            | Jones of Meriwether   | Stubbs of Thomas |
| Converse            | Kicklighter           | Turner           |
| Cooke               | Lewis                 | Upshaw           |
| Edmondson           | Littleton             | Vinson           |
| Ellis               | Moore                 | Walters          |
| Evans               | MacIntyre             | Wasden           |
| Field of DeKalb     | McCarthy              | Watkins          |
| Fullbright          | McCrary               | Wohlwender       |
| Garlington          | McElreath             |                  |
| Gastley             | McMahan               |                  |

Those voting in the negative were Messrs.:

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Adams               | Atkinson           | Brown of Henry  |
| Alexander of DeKalb | Barksdale          | Brown of Murray |
| Allen               | Bailey             | Cannon          |
| Anderson of Chatham | Baker              | Carter          |
| Armistead           | Booker             | Chandler        |
| Atherton            | Brinson of Decatur | Childs          |

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Cowan               | Joiner              | Pickett           |
| Culberson           | Keith               | Pierce            |
| Daniel              | Kendrick            | Porter            |
| Dickson             | Kennedy             | Proctor           |
| Drawdy              | Kidd                | Reese             |
| Edwards             | Kirby               | Reid of Campbell  |
| Elder               | Lawrence            | Rogers            |
| Ellison             | Lord                | Shirley           |
| English             | Lovejoy             | Simmons           |
| Fairecloth          | Martin              | Simpson           |
| Ford                | Meadows of Telfair  | Smith of Tattnall |
| Gillis              | Meadows of Toombs   | Stovall           |
| Godley              | Miller of Ware      | Stubbs of Putnam  |
| Graddick            | Milikin             | Tarver            |
| Griffin of Sumter   | Mitchell            | Tippins           |
| Harrington          | MacFarland          | Tracey            |
| Harvey              | McConnell           | Turnipseed        |
| Hatfield            | McCutchen           | Waddell           |
| Helms               | McMichael of Butts  | White of Screven  |
| Henderson of Irwin  | McMichael of Marion | Whiteley          |
| Henderson of Turner | Parker of Decatur   | Wood              |
| Hill                | Parker of Talbot    | Woodliff          |
| Huie                | Paulk               | Wright of Floyd   |
| Johnson of Bartow   | Peacock             |                   |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Alley               | Griffin of Twiggs   | McCurry           |
| Anderson of Bullock | Hardeman of Jeffs'n | Pope              |
| Bagley              | Hardman of Jackson  | Price             |
| Beacham             | Hendricks           | Reaves            |
| Boyd                | Holder of Floyd     | Redding           |
| Brinson of Emanuel  | Hubbard             | Reid of Macon     |
| Brown of Fulton     | Johnson of Towns    | Rosser            |
| Butt                | Jones of Mitchell   | Sheppard          |
| Buxton              | Kelley              | Smith of Gilmer   |
| Cordell             | Middlebrooks        | Tuggle            |
| Couch               | Miller of Calhoun   | Wight of Grady    |
| Cureton             | Minter              | Williams          |
| Davis               | Moss                | Wright of Stewart |
| Fender              | McArthur            | Mr. Speaker       |
| Fields of Crisp     |                     |                   |

By unanimous consent the verification of the roll call was dispensed with.

On motion to table the ayes were 52; nays, 89; the motion was therefore lost.

Mr. White, of Screven then moved to disagree to the unfavorable report of the Committee, which motion prevailed, ayes 71; nays 45.

On motion of Mr. White, of Screven 200 copies of the above bill were ordered printed.

The next special order is as follows:

By Messrs. Slaton, of 35th district, Morris, of 18th district, Slater, of 1st district.

A bill to propose an amendment to the Constitution so as to authorize certain counties to supplement the salaries of Judges of the Superior Court.

Pending the consideration of the above bill the hour of 11 a. m. o'clock arrived which was fixed as the time for the consideration of the resolution setting Compulsory Education Bill, as a special order. The consideration of the bill was therefore temporarily suspended.

Upon the consideration of the resolution setting the Compulsory Education Bill as a special order the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Alexander of DeKalb | Garlington            | McElreath           |
| Alexander of Fulton | Gastley               | McMahan             |
| Anderson of Chatham | Gillis                | McMichael of Butts  |
| Armistead           | Godley                | McMichael of Marion |
| Atherton            | Graddick              | McWhorter           |
| Barksdale           | Griffin of Sumter     | Parker of Talbot    |
| Bailey              | Guyton                | Persons             |
| Booker              | Harrington            | Pickett             |
| Brown of Fulton     | Hatfield              | Pierce              |
| Brown of Henry      | Helms                 | Pope                |
| Brown of Murray     | Hendricks             | Porter              |
| Buxton              | Hill                  | Reese               |
| Cannon              | Huie                  | Reid of Campbell    |
| Carswell            | Johnson of Bartow     | Roberts             |
| Chandler            | Johnson of Jeff Davis | Shirley             |
| Converse            | Johnson of Towns      | Slade               |
| Cooke               | Jones of Laurens      | Stovall             |
| Cowan               | Kennedy               | Stubbs of Thomas    |
| Culbertson          | Kicklighter           | Tarver              |
| Dickson             | Littleton             | Tippins             |
| Drawdy              | Lovejoy               | Tracey              |
| Edwards             | Martin                | Tuggle              |
| Elder               | Meadows of Toombs     | Turnipseed          |
| Ellis               | Miller of Ware        | Upshaw              |
| English             | Milikin               | Waddell             |
| Evans               | MacFarland            | Walters             |
| Fairecloth          | McCarthy              | Whiteley            |
| Field of DeKalb     | McCutchen             | Wright of Floyd     |
| Fullbright          |                       |                     |

## Those voting in the negative were Messrs.:

|                     |                    |                      |
|---------------------|--------------------|----------------------|
| Adams               | Boyd               | Ellison              |
| Allen               | Brinson of Decatur | Ford                 |
| Alley               | Brown of Carroll   | Hall                 |
| Anderson of Bullock | Butt               | Hardeman of Jeff's'n |
| Ault                | Carter             | Harvey               |
| Baker               | Childs             | Heard                |
| Barrett             | Cureton            | Henderson of Irwin   |
| Bell                | Daniel             | Henderson of Turner  |
| Berry               | Edmondson          |                      |

|                     |                   |                   |
|---------------------|-------------------|-------------------|
| Holtzelaw           | Moore             | Smith of Gilmer   |
| Hullender           | MacIntyre         | Smith of Tattnall |
| Joiner              | McConnell         | Smith of Walton   |
| Jones of Meriwether | McCrary           | Strong            |
| Kelley              | Oliver            | Turner            |
| Kendrick            | Parker of Decatur | Vinson            |
| Kidd                | Paulk             | Wasden            |
| Kirby               | Proctor           | Watkins           |
| Lewis               | Reaves            | White of Screven  |
| Lord                | Rentz             | Wohlwender        |
| Meadows of Telfair  | Sheppard          | Wood              |
| Mitchell            | Simpson           | Woodliff          |

Those not voting were Messrs.:

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Atkinson           | Holder of Floyd   | Price             |
| Bagley             | Howell            | Redding           |
| Beacham            | Hubbard           | Reid of Macon     |
| Brinson of Emanuel | Jones of Mitchell | Rogers            |
| Burch              | Keith             | Rosser            |
| Calbeck            | Lawrence          | Simmons           |
| Cordell            | Middlebrooks      | Stubbs of Putnam  |
| Couch              | Miller of Calhoun | Wight of Grady    |
| Davis              | Minter            | Williams          |
| Fender             | Moss              | Wright of Stewart |
| Fields of Crisp    | McArthur          | Mr. Speaker       |
| Griffin of Twiggs  | McCurry           |                   |
| Hardman of Jackson | Peacock           |                   |

The roll call was verified and on counting the votes it was found that the ayes were 85; nays, 62.

The resolution having failed to receive the requisite three-fourths majority, was lost.

The following bill was again taken up and a further consideration was resumed on its passage, to-wit:

By Messrs. Slaton, of 35th district, Morris, of 18th district, Slater, of 1st district.

A bill to propose an amendment to the Constitution so as to authorize certain counties to supplement salaries of Judges of the Superior Court.

The following amendment was adopted:

By Mr. Lawrence, of Chatham—

To amend Section 1, by striking the words “so that said Paragraph 1, of Section 13, of Art. 6, of said Constitution shall read as follows” and all the rest of said Section 1, of said Act following said words.

The report of the Committee which was favorable to the passage of the bill was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                  |           |
|---------------------|------------------|-----------|
| Adams               | Bailey           | Butt      |
| Alexander of Fulton | Baker            | Buxton    |
| Allen               | Barrett          | Calbeck   |
| Alley               | Berry            | Cannon    |
| Anderson of Bullock | Booker           | Carswell  |
| Anderson of Chatham | Boyd             | Carter    |
| Armistead           | Brown of Carroll | Chandler  |
| Atherton            | Brown of Fulton  | Childs    |
| Atkinson            | Brown of Henry   | Converse  |
| Ault                | Brown of Murray  | Cowan     |
| Barksdale           | Burch            | Culberson |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Cureton               | Jones of Meriwether | Proctor           |
| Daniel                | Keith               | Reaves            |
| Dickson               | Kendrick            | Reese             |
| Drawdy                | Kennedy             | Reid of Campbell  |
| Edmondson             | Kicklighter         | Rentz             |
| Edwards               | Kidd                | Roberts           |
| Elder                 | Kirby               | Rogers            |
| Ellis                 | Lawrence            | Sheppard          |
| Ellison               | Lewis               | Shirley           |
| English               | Lord                | Simmons           |
| Fairecloth            | Lovejoy             | Simpson           |
| Field of DeKalb       | Martin              | Slade             |
| Ford                  | Meadows of Telfair  | Smith of Gilmer   |
| Fullbright            | Meadows of Toombs   | Smith of Tattnall |
| Garlington            | Miller of Calhoun   | Smith of Walton   |
| Gastley               | Miller of Ware      | Strong            |
| Gillis                | Minter              | Stubbs of Putnam  |
| Godley                | Mitchell            | Stubbs of Thomas  |
| Graddick              | Moore               | Tarver            |
| Griffin of Sumter     | MacFarland          | Tippins           |
| Guyton                | MacIntyre           | Tracey            |
| Hardeman of Jeffs'n   | McArthur            | Tuggle            |
| Harrington            | McCarthy            | Turnipseed        |
| Harvey                | McCrary             | Upshaw            |
| Hatfield              | McCurry             | Vinson            |
| Heard                 | McCutchen           | Waddell           |
| Helms                 | McElreath           | Walters           |
| Henderson of Irwin    | McMahan             | Wasden            |
| Henderson of Turner   | McMichael of Butts  | Watkins           |
| Hendricks             | McWhorter           | White of Screven  |
| Hill                  | Parker of Talbot    | Whiteley          |
| Holtzclaw             | Persons             | Wohlwender        |
| Hullender             | Pickett             | Wood              |
| Huie                  | Pierce              | Woodliff          |
| Johnson of Jeff Davis | Pope                | Wright of Floyd   |
| Johnson of Towns      | Porter              |                   |
| Joiner                | Price               |                   |

Those voting in the negative were Messrs.:

|                     |         |       |
|---------------------|---------|-------|
| Alexander of DeKalb | Cooke   | Evans |
| Brinson of Decatur  | Cordell | Hall  |

|                  |           |                   |
|------------------|-----------|-------------------|
| Jones of Laurens | Milikin   | Parker of Decatur |
| Kelley           | McConnell | Stovall           |
| Littleton        | Oliver    |                   |

Those not voting were Messrs.:

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Bagley             | Holder of Floyd     | Redding           |
| Beacham            | Howell              | Reid of Macon     |
| Bell               | Hubbard             | Rosser            |
| Brinson of Emanuel | Johnson of Bartow   | Turner            |
| Couch              | Jones of Mitchell   | Wight of Grady    |
| Davis              | Middlebrooks        | Williams          |
| Fender             | Moss                | Wright of Stewart |
| Fields of Crisp    | McMichael of Marion | Mr. Speaker       |
| Griffin of Twiggs  | Paulk               |                   |
| Hardman of Jackson | Peacock             |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 142; nays 14.

The bill having received the requisite Constitutional majority was passed as amended and the bill in full is as follows:

A bill to be entitled an Act to amend Paragraph 1, of Section 13, of Article 6, of the Constitution of the State of Georgia regulating the salaries of the Judges of the Supreme and Superior Courts by providing for the payment from the County Treasuries of Chatham, Fulton and Richmond Counties to the Judges of the Superior Courts of the Circuits to which said counties belong, and to the Judge of the Stone Mountain Circuit, or the Judge of such other

Circuit as may hereafter be required to regularly preside in Fulton Superior Court, of additional compensation, and to ratify, validate and confirm the original and amendatory Acts of the General Assembly regulating the salaries of Judges of the Superior Courts of all judicial circuits of the State having therein a city with a population of not less than 54,000 inhabitants, according to the United States Census of 1900, as heretofore enacted, and the Act of the General Assembly regulating the compensation of Judges of the Superior Court for services rendered outside of their own Circuits in those Judicial Circuits of the State having therein a population of not less than 75,000 inhabitants, according to the Census of 1900.

SECTION 1. Be it hereby enacted by authority of the General Assembly of Georgia that Paragraph 1, of Section 13, of Article 6, of the Constitution of the State of Georgia be amended by adding to such Paragraph of said Section the following proviso:

*Provided, however,* that the counties of Chatham, Fulton and Richmond shall pay from their respective County Treasuries to the Superior Court Judges of the Circuit of which they are a part, and the county of Fulton to the Judge of the Stone Mountain Circuit, or to the Judge of such other Circuit as may hereafter be required to regularly preside therein, for additional services rendered in the Superior Courts of Fulton county, such sums as will with salaries paid each Judge from the State Treasury

make a salary of \$5,000.00 per annum to each Judge; and said payments are declared to be a part of the Court expenses of such counties, such payments to be made to the Judges now in office as well as their successors.

The Act of the General Assembly of 1904 entitled "an Act to regulate the salaries of Judges of the Superior Courts of all Judicial Circuits of this State having, or that may hereafter have, therein a city with a population of not less than 54,000, nor more than 75,000 inhabitants and for other purposes," with the Acts of the General Assembly of 1905 and 1906 amendatory thereof; and also the Acts of the General Assembly of 1906 entitled "an Act to regulate the compensation of Judges of the Superior Courts for services rendered outside of their own Circuits in those Judicial Circuits of the State having therein a city of not less than 75,000 inhabitants according to the Census of 1900 and for other purposes," which Acts provide for the payment from the Treasuries of the counties containing said cities to the Judges aforesaid of a part of their salaries, are ratified, validated and confirmed as to the dates of said respective enactments.

SEC. 2. Be it further enacted by the authority aforesaid, that when the above and foregoing amendment has been agreed to by two-thirds of the members of each House of the present General Assembly, it shall be the duty of the Governor and he is hereby directed to cause the same to be published

in one or more newspapers in each Congressional district in this State, two months before the next General election; and the Governor of this State is further required and directed, after having said amendment so published as aforesaid, to submit the same to the people at the next General election for the ratification or rejection. The form of such submission shall be as follows, to-wit:

“For ratification of amendments to Paragraph 1, Section 13, Article 6 of the Constitution.”

“Against ratification of amendments to Paragraph 1, Section 13, Article 6 of the Constitution.”

The next special order was the following House bill which was read the 3d time and put upon its passage, to-wit:

By Messrs. Fairecloth, of Johnson; Allen, of Upson—

A bill to amend the Constitution so as to abolish the office of Solicitors-General.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs:

|                     |                       |                    |
|---------------------|-----------------------|--------------------|
| Adams               | Gillis                | McMahan            |
| Alexander of DeKalb | Criffin of Sumter     | McMichael of Butts |
| Allen               | Harrington            | McWhorter          |
| Anderson of Bullock | Harvey                | Parker of Decatur  |
| Atherton            | Hatfield              | Parker of Talbot   |
| Atkinson            | Helms                 | Peacock            |
| Barksdale           | Henderson of Irwin    | Proctor            |
| Baker               | Henderson of Turner   | Reaves             |
| Boyd                | Hill                  | Reese              |
| Brown of Murray     | Huie                  | Reid of Campbell   |
| Burch               | Johnson of Bartow     | Rogers             |
| Buxton              | Johnson of Jeff Davis | Sheppard           |
| Carswell            | Johnson of Towns      | Simmons            |
| Carter              | Joiner                | Simpson            |
| Chandler            | Jones of Laurens      | Smith of Gilmer    |
| Converse            | Kendrick              | Smith of Tattnall  |
| Cordell             | Kennedy               | Stovall            |
| Cowan               | Lewis                 | Tarver             |
| Culberson           | Lord                  | Tippins            |
| Dickson             | Martin                | Turnipseed         |
| Drawdy              | Meadows of Telfair    | Upshaw             |
| Edwards             | Meadows of Toombs     | Walters            |
| Elder               | Miller of Ware        | Wasden             |
| English             | Milikin               | Watkins            |
| Fairecloth          | MacFarland            | White of Screven   |
| Fields of Crisp     | McArthur              | Whiteley           |
| Ford                | McConnell             | Wohlwender         |
| Fullbright          | McCutchen             | Woodliff           |

## Those voting in the negative were Messrs.:

|                     |                  |                 |
|---------------------|------------------|-----------------|
| Alexander of Fulton | Brown of Carroll | Ellison         |
| Alley               | Brown of Henry   | Evans           |
| Anderson of Chatham | Butt             | Field of DeKalb |
| Armistead           | Cannon           | Garlington      |
| Ault                | Childs           | Gastley         |
| Barrett             | Cooke            | Godley          |
| Bell                | Daniel           | Graddick        |
| Berry               | Davis            | Guyton          |
| Booker              | Edmondson        | Hall            |

|                   |           |                  |
|-------------------|-----------|------------------|
| Heard             | Moore     | Price            |
| Holtzelaw         | MacIntyre | Shirley          |
| Howell            | McCarthy  | Slade            |
| Hullender         | McCrary   | Smith of Walton  |
| Keith             | McCurry   | Stubbs of Putnam |
| Kicklighter       | McElreath | Stubbs of Thomas |
| Kidd              | Persons   | Turner           |
| Kirby             | Pickett   | Wood             |
| Littleton         | Pierce    | Wright of Floyd  |
| Lovejoy           | L'ope     |                  |
| Miller of Calhoun | Porter    |                  |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Bagley              | Hendricks           | Redding           |
| Bailey              | Holder of Floyd     | Reid of Macon     |
| Beacham             | Hubbard             | Rentz             |
| Brinson of Decatur  | Jones of Meriwether | Roberts           |
| Brinson of Emanuel  | Jones of Mitchell   | Rosser            |
| Brown of Fulton     | Kelley              | Strong            |
| Calbeck             | Lawrence            | Tracey            |
| Couch               | Middlebrooks        | Tuggle            |
| Cureton             | Minter              | Vinson            |
| Ellis               | Mitchell            | Waddell           |
| Fender              | Moss                | Wight of Grady    |
| Griffin of Twiggs   | McMichael of Marion | Williams          |
| Hardeman of Jeffs'n | Oliver              | Wright of Stewart |
| Hardman of Jackson  | Paulk               | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 84, nays, 58.

The bill having failed to receive the requisite Constitutional majority was lost.

The House rescinded its action in agreeing to de-

vote the last 15 minutes of the session to certain purposes, at the request of Mr. Anderson, of Chatham.

The next special order was as follows:

By Mr. McCrory, of Schley—

A bill to amend Article 7, Section 2, Paragraph 1, of the Constitution of 1877, so as to authorize the General Assembly to authorize and levy a graduated income tax.

Pending discussion on the above bill a motion to adjourn was made and carried and the bill was carried over as unfinished business.

The Speaker then announced the House adjourned until 9:30 o'clock tomorrow morning.



ATLANTA, GEORGIA,

WEDNESDAY, August 3, 1910.

The House met pursuant to adjournment at 9:30 a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                      |
|---------------------|-----------|----------------------|
| Adams               | Burch     | Fairecloth           |
| Alexander of DeKalb | Butt      | Fender               |
| Alexander of Fulton | Buxton    | Field of DeKalb      |
| Allen               | Calbeck   | Fields of Crisp      |
| Alley               | Cannon    | Ford                 |
| Anderson of Bullock | Carswell  | Fullbright           |
| Anderson of Chatham | Carter    | Garlington           |
| Armistead           | Chandler  | Gastley              |
| Atherton            | Childs    | Gillis               |
| Atkinson            | Converse  | Godley               |
| Ault                | Cooke     | Graddick             |
| Barksdale           | Cordell   | Griffin of Sumter    |
| Bagley              | Couch     | Griffin of Twiggs    |
| Bailey              | Cowan     | Guyton               |
| Baker               | Culberson | Hall                 |
| Barrett             | Cureton   | Hardeman of Jeff's'n |
| Beacham             | Daniel    | Hardman of Jackson   |
| Bell                | Davis     | Harrington           |
| Berry               | Dickson   | Harvey               |
| Booker              | Drawdy    | Hatfield             |
| Boyd                | Edmondson | Heard                |
| Brinson of Decatur  | Edwards   | Helms                |
| Brinson of Emanuel  | Elder     | Henderson of Irwin   |
| Brown of Carroll    | Ellis     | Henderson of Turner  |
| Brown of Fulton     | Ellison   | Hendricks            |
| Brown of Henry      | English   | Hill                 |
| Brown of Murray     | Evans     | Holder of Floyd      |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slade             |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrory             | Smith of Tattnall |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Olive               | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipseed        |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Pickett             | Waddell           |
| Lewis                 | Pierce              | Walter            |
| Littleton             | Pope                | Wasden            |
| Lord                  | Porter              | Watkins           |
| Lovejoy               | Price               | White of Screven  |
| Martin                | Proctor             | Whiteley          |
| Meadows of Telfair    | Reaves              | Wight of Grady    |
| Meadows of Toombs     | Redding             | Williams          |
| Middlebrooks          | Reese               | Wohlwend          |
| Miller of Calhoun     | Reid of Campbell    | Wood              |
| Miller of Ware        | Reid of Macon       | Woodliff          |
| Milikin               | Rentz               | Wright of Floyd   |
| Minter                | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Anderson, of Chatham, asked unanimous consent that for the rest of this week the afternoon ses-

sions shall be from 3 o'clock p. m. to 5:30 o'clock p. m., which was granted.

By unanimous consent it was ordered that the first 15 minutes of this afternoon's session be devoted to the following order of business.

1st. Introduction of new matter.

2d. Reading first bills second time.

3d. Committee reports.

4th. Reading House and Senate bills favorably reported the second time.

5th. Reading House and Senate local bills the third time.

By unanimous consent it was ordered that individual speeches for rest of this week on all matters coming before the House, except the Compulsory Education Bill and the Tax Act be limited to ten minutes.

By unanimous consent the following bill was read the second time and recommitted, to-wit:

By Messrs. Porter and Wright, of Floyd—

A bill to appropriate \$100 to pay W. C. Miller for the arrest of Solomon Brantley.

By unanimous consent the following bill was read the second time, to-wit:

By Mr. Moss, of Cobb—

A bill to amend an Act to create a system of public schools for Marietta so as to levy a tax for the support of said schools.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Johnson, of Bartow—

A bill to amend an Act to create a lien in favor of persons hauling stocks, logs, etc.

The Committee proposed the following amendments which were adopted:

To amend by adding the words "as long as such personalty or the products of the same shall remain in the possession of the person for whom such hauling was done" at the end of Section 1 of said bill.

To amend by changing the caption so as to include the amendment as adopted.

The favorable report of the Committee as amended was agreed to.

On the passage of the bill the ayes were 87, nays, 7

The bill having failed to receive the requisite Constitutional majority was lost.

By Mr. Huie, of Clayton—

A bill to repeal an Act to create the City Court of Fayetteville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 121, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent Senate bill No. 213 was recommitted to the Special Judiciary Committee.

By Mr. Chandler, of Franklin—

A bill to amend Section 188 of the Penal Code fixing the penalty for embezzlement.

The following Committee amendments were adopted:

To amend by striking from the caption the following words: "By striking the word two from the

8th line thereof and inserting in lieu thereof the word seven.”

By striking from the 7th line of the caption the word “seven” and inserting in lieu thereof the word “two.”

By striking from lines 4, 5, 6, Section 1, the words: “By striking the word ‘two’ from line 8 of said Section and inserting in lieu thereof the words ‘seven and.’ ”

By striking from line 16, Section 1, the word “seven” and inserting in lieu thereof the word “two.”

The report of the Committee, which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 107, nays, 8.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Lewis, of Hancock—

A bill to make it unlawful to publish abusive language of another.

The following Committee amendment was adopted:

To amend by striking Section 3 of the bill.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 33, nays, 67.

The bill having failed to receive the requisite Constitutional majority was lost.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to restrict the jurisdiction of the City Court of Baxley

A bill to amend an Act to require the County Commissioners of Stewart county to pay to the officers of the Superior Court of said county their legal costs.

A bill to amend the charter of the town of Lexington.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to authorize the county authorities in counties of 125,000 population to create a Board of Examiners of stationary engineers.

A bill to repeal an Act to create a County Commissioner for Franklin county.

A bill to create a new charter for the city of Griffin.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to appropriate \$15,000.00 to the erection and equipment of buildings of the State Sanitarium for treatment of patients afflicted with tuberculosis.

A bill to expend rent received from "Indian Springs Reserve" in keeping public comfort building located thereon, in a cleanly condition.



A bill to appropriate the sums of \$25,000 for 1910 and \$35,000 for 1911 for support and maintenance of Georgia State Sanitarium.

A bill to amend the appropriation act to provide for the salary of the stenographer to the State Bank Examiner.

A bill to appropriate additional funds for the completion of the State Sanitarium for treatment of tuberculosis.

A bill to amend an Act creating the City Court of Oglethorpe in Macon county.

A bill to protect game in Carroll county for a period of 2 years.

A bill to amend the charter of the city of Newnan.

A bill to authorize county authorities of Campbell county to pay certain costs.

A bill to revise and consolidate the several Acts granting corporate authority to the city of Americus.

A bill to amend an Act authorizing the establishment of farms as places of confinement for certain persons.

A bill to appropriate \$10,000.00 to the State Board

of Entomology for 1911 to be used in experimental work on blackroot or wilt disease of cotton.

A bill to provide for electing the Solicitor of County Court of Putnam county.

A bill to amend an Act authorizing the town council of Hogansville, Georgia, to establish a system of waterworks, electric lights, etc.

A bill to amend Section 982, Volume 1, Code of 1895, so as to add Edison, Calhoun county, to the list of State depositories.

A bill to appropriate \$2,000.00 for improving the Confederate Cemetery at Marietta, Ga.

A bill to create a Board of Commissioners of Roads and Revenues for the county of Madison.

A bill to amend an Act creating the City Court of Eastman in the county of Dodge.

A bill to appropriate to the Public Building Fund the sum of \$11,363.37 to supply a deficiency in said fund, and the further sum of \$5,000.00 to said fund to meet the premiums on insurance policies covering State properties.

A bill to amend Section 982, Volume 1 of the Code of Georgia, so as to add Canton, Cherokee county, to the list of State depositories.

A bill to amend the charter of the town of Doerun.

A bill to amend the charter of the city of Marietta.

A bill to authorize the Mayor and Council of the city of Marietta to hold an election for the purpose of voting upon the question of issuing bonds.

A bill to establish a system of public schools for the city of Senoia.

A bill to regulate the preparation of live stock for market in Worth county

A bill to repeal an Act incorporating the town of Boynton in the county of Catoosa.

A bill to amend the charter of the city of Rossville in Walker county

A bill to amend an Act to create a Board of County Commissioners for the county of Chattooga.

A bill to incorporate the town of Pine Park in the county of Grady

A bill to amend an Act establishing the City Court of Swainsboro in Emanuel county

A bill to change the time of holding the Superior Courts of Dougherty and Mitchell counties.

A bill to amend an Act to establish the City Court of Fitzgerald.

A bill to regulate slaughtering cattle, hogs and sheep in Ben Hill county

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following resolutions of the House, to-wit:

A resolution to refund H. Yarbrough certain money arising from the sale of wild lands.

A resolution appropriating \$1,500.00 for the repair of walls, etc., of Resaca Cemetery

A resolution to appropriate \$281.25 to pay balance past due salary for 1909 of the assistant and the second assistant State librarian.

A resolution to refund J. R. Hubbard et al. amount paid by them for a bank charter.

A resolution to appropriate \$2,500.00 for the purpose of erecting a monument to the memory of General Joseph E. Johnston, at Dalton, Whitfield county, Georgia.

By unanimous consent it was ordered that the second fifteen minutes of the afternoon's session be devoted exclusively to the consideration of general bills with local application.

By unanimous consent House Bill No. 681 was taken from the table and placed on the Calendar.

Mr. Pickett, of Terrell, gave notice that at the proper time he would move to reconsider the action of the House in passing House Bill No. 509.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

The House Committee on Corporations has had under consideration the following bills and instruct me, as their Chairman, to report the same back to the House with the following recommendations, to-wit:

House Bill No. 1071—A bill to amend the charter of the city of Buford, Gwinnett county. Do pass.

House Bill No. 1074—To amend charter of the town of Mitchells district. Do pass.

House Bill No. 1073—To incorporate the town of Berlin, Colquitt county Do pass.

House Bill No. 1061—To amend charter of the town of Decatur, DeKalb county Do pass.

House Bill No. 1070—A bill requiring corporations doing business in this State to have two regular pay days in each month. Do not pass.

BUTT, Chairman.

Mr. Chandler, Chairman of the Committee on Insurance, submitted the following report:

*Mr. Speaker:*

Your Committee on Insurance has had under consideration House Bill No. 1050—A bill to require fire insurance companies doing business in this State on assessment plan to deposit five thousand dollars with the State.

And have instructed me, as their Chairman, to report same back to the House with the recommendation that it do pass.

Respectfully submitted,

H. H. CHANDLER, Chairman.

Mr. White, Chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker:*

The Committee on Pensions having had under consideration the following bills and resolutions return the same with the following recommendation:

House Bill No. 411—Do not pass.

House Bill No. 381—Do not pass.

House Resolution No. 309—Do not pass.

House Resolution No. 291—Do not pass.

House Resolution No. 235—Do not pass.

House Resolution No. 233—Do not pass.

House Resolution No. 202—Do pass.

Respectfully submitted,

WHITE, Chairman.

Mr. McMichael, Chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration House Bill No. 896 and report that it do pass.

McMICHAEL, Chairman.

Mr. Alexander, of DeKalb, Chairman of the Committee on W. & A. R. R., submitted the following report:

*Mr. Speaker:*

Your Committee on the Western & Atlantic Railroad has had under consideration House Resolution No. 290, the same being a resolution to authorize the city of Atlanta to build a viaduct over the tracks of the Western & Atlantic Railroad in said city, and instruct me, as their Chairman, to report the same back with the recommendation that it do pass as amended by the Committee.

Respectfully submitted,

HOOPER ALEXANDER, Chairman.

The following bill which was brought over as unfinished business was again taken up for passage, to-wit:



By Mr. Alexander, of DeKalb—

A bill to regulate the employment of minors in the messenger service.

Mr. Alexander, of Fulton, offered a substitute for the above bill which was lost.

The following amendments to the original bill were adopted, to-wit:

By Mr. Alexander, of DeKalb—

To amend Section 1 by adding after the word “messages” the words “by any concern or person engaged in the messenger service business.”

By Mr. Hall, of Bibb—

By striking out all of Section 1 after the enacting clause and renumbering the Sections accordingly.

Also

To amend Section 2 by inserting after the word “minor” in line 1 of said Section the words “under 16 years of age.”

The Committee proposed to amend as follows:

To amend by striking the figures “8” and inserting figures “10.”

Mr. Alexander, of DeKalb, proposed to amend by striking the word "ten" and inserting the word "nine."

The amendment was adopted as amended.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                   |                       |
|---------------------|-------------------|-----------------------|
| Adams               | Carter            | Griffin of Twiggs     |
| Alexander of DeKalb | Chandler          | Guyton                |
| Allen               | Childs            | Hardman of Jackson    |
| Alley               | Converse          | Harrington            |
| Anderson of Bullock | Cooke             | Harvey                |
| Anderson of Chatham | Cordell           | Hatfield              |
| Armistead           | Couch             | Henderson of Irwin    |
| Atherton            | Cowan             | Henderson of Turner   |
| Atkinson            | Daniel            | Hill                  |
| Barksdale           | Dickson           | Hullender             |
| Baker               | Drawdy            | Huie                  |
| Bell                | Edwards           | Johnson of Bartow     |
| Berry               | Elder             | Johnson of Jeff Davis |
| Booker              | Ellison           | Johnson of Towns      |
| Brinson of Decatur  | English           | Joiner                |
| Brown of Carroll    | Fairecloth        | Jones of Laurens      |
| Brown of Henry      | Field of DeKalb   | Keith                 |
| Brown of Murray     | Ford              | Kendrick              |
| Burch               | Fullbright        | Kennedy               |
| Butt                | Garlington        | Kicklighter           |
| Buxton              | Gastley           | Kidd                  |
| Calbeck             | Godley            | Kirby                 |
| Cannon              | Graddick          | Littleton             |
| Carswell            | Griffin of Sumter | Lord                  |

|                     |                  |                   |
|---------------------|------------------|-------------------|
| Martin              | Parker of Talbot | Smith of Gilmer   |
| Meadows of Telfair  | Paulk            | Smith of Tattnall |
| Meadows of Toombs   | Persons          | Smith of Walton   |
| Miller of Calhoun   | Pierce           | Stovall           |
| Miller of Ware      | Popo             | Stubbs of Putnam  |
| Minter              | Porter           | Tarver            |
| Mitchell            | Price            | Tippins           |
| Moss                | Proctor          | Tracey            |
| MacFarland          | Reaves           | Turner            |
| McCarthy            | Redding          | Turnipseed        |
| McConnell           | Reese            | Upshaw            |
| McCrory             | Reid of Campbell | Waddell           |
| McCurry             | Reid of Macon    | Walters           |
| McCutchen           | Roberts          | Watkins           |
| McElreath           | Rogers           | Whiteley          |
| McMahan             | Sheppard         | Wight of Grady    |
| McMichael of Butts  | Shirley          | Wood              |
| McMichael of Marion | Simmons          | Wright of Floyd   |
| McWhorter           | Simpson          |                   |
| Olive               | Slade            |                   |

Those voting in the negative were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Alexander of Fulton | Hall                | Moore             |
| Ault                | Heard               | MacIntyre         |
| Barrett             | Holtzclaw           | Parker of Decatur |
| Boyd                | Howell              | Pickett           |
| Brown of Fulton     | Hubbard             | Stubbs of Thomas  |
| Cureton             | Jones of Meriwether | Tuggle            |
| Edmondson           | Jones of Mitchell   | Williams          |
| Ellis               | Lawrence            | Wohlwender        |
| Evans               | Milikin             |                   |

Those not voting were Messrs.:

|                    |                     |                 |
|--------------------|---------------------|-----------------|
| Bagley             | Fender              | Holder of Floyd |
| Bailey             | Fields of Crisp     | Kelley          |
| Beacham            | Gillis              | Lewis           |
| Brinson of Emanuel | Hardeman of Jeffs'n | Lovejoy         |
| Culberson          | Helms               | Middlebrooks    |
| Davis              | Hendricks           | McArthur        |

|         |                  |                   |
|---------|------------------|-------------------|
| Peacock | Vinson           | Wright of Stewart |
| Rentz   | Wasden           | Mr. Speaker       |
| Rosser  | White of Screven |                   |
| Strong  | Woodliff         |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 130, nays, 26.

The bill having received the requisite Constitutional majority was passed as amended.

On motion of Mr. Hall, of Bibb, it was ordered that after today the House meet at 9 o'clock a. m. and adjourn at 2 o'clock p. m. and that there be no afternoon session.

The following special order which was read the third time on yesterday and brought over as unfinished business was again taken up, to-wit:

By Mr. McCrory, of Schley—

A bill to amend Article 7, Section 2, Paragraph 1 of the Constitution, so as to authorize the levy of a graduated income tax.

The above bill was tabled.

The next special order was the following Senate bill:

By Mr. Price, of 27th district—

A bill to amend Paragraph 1, Section 2, Article 2 of the Constitution, so as to provide for the abolition of the office of County Treasurer.

The unfavorable report of the Committee was disagreed to on yesterday.

On the bill and pending amendment the previous question was called and the main question ordered.

The amendment offered by Mr. Moss, of Cobb, was lost.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |          |                     |
|---------------------|----------|---------------------|
| Adams               | Butt     | English             |
| Alexander of DeKalb | Buxton   | Fairecloth          |
| Allen               | Calbeck  | Ford                |
| Alley               | Cannon   | Gillis              |
| Anderson of Bullock | Carter   | Graddick            |
| Anderson of Chatham | Chandler | Griffin of Sumter   |
| Armistead           | Childs   | Harrington          |
| Atkinson            | Cordell  | Harvey              |
| Ault                | Couch    | Hatfield            |
| Barksdale           | Cowan    | Helms               |
| Bailey              | Daniel   | Henderson of Irwin  |
| Baker               | Davis    | Henderson of Turner |
| Booker              | Dickson  | Hendricks           |
| Brinson of Decatur  | Drawdy   | Hill                |
| Brinson of Emanuel  | Edwards  | Hubbard             |
| Brown of Henry      | Elder    | Huie                |
| Brown of Murray     | Ellison  | Johnson of Bartow   |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Johnson of Jeff Davis | McCutchen           | Simmons           |
| Johnson of Towns      | McMahan             | Simpson           |
| Joiner                | McMichael of Butts  | Smith of Gilmer   |
| Jones of Laurens      | McMichael of Marion | Smith of Tattnall |
| Jones of Mitchell     | McWhorter           | Stovall           |
| Keith                 | Parker of Decatur   | Stubbs of Putnam  |
| Kendrick              | Parker of Talbot    | Tarver            |
| Kennedy               | Peacock             | Tippins           |
| Kirby                 | Pickett             | Tracey            |
| Littleton             | Pierce              | Tuggle            |
| Lord                  | Poppe               | Turnipseed        |
| Lovejoy               | Porter              | Upshaw            |
| Martin                | Price               | Waddell           |
| Meadows of Telfair    | Proctor             | Walters           |
| Meadows of Toombs     | Reaves              | Watkins           |
| Miller of Calhoun     | Redding             | White of Screven  |
| Milikin               | Reese               | Williams          |
| Mitchell              | Rogers              | Wood              |
| MacFarland            | Sheppard            | Woodliff          |
| McConnell             | Shirley             | Wright of Floyd   |
| McCurry               |                     |                   |

Those voting in the negative were Messrs.:

|                     |                     |                  |
|---------------------|---------------------|------------------|
| Alexander of Fulton | Griffin of Twiggs   | McCarthy         |
| Barrett             | Guyton              | McCrary          |
| Berry               | Hall                | Oliver           |
| Boyd                | Hardman of Jackson  | Reid of Campbell |
| Brown of Carroll    | Heard               | Rentz            |
| Burch               | Holtzclaw           | Roberts          |
| Carswell            | Howell              | Slade            |
| Cooke               | Hullender           | Smith of Walton  |
| Evans               | Jones of Meriwether | Strong           |
| Field of DeKalb     | Kidd                | Turner           |
| Fullbright          | Miller of Ware      | Whiteley         |
| Garlington          | Moore               | Wight of Grady   |
| Gastley             | Moss                | Wohlwendt        |
| Godley              | MacIntyre           |                  |

Those not voting were Messrs.:

|          |                 |           |
|----------|-----------------|-----------|
| Atherton | Bell            | Culberson |
| Bagley   | Brown of Fulton | Cureton   |
| Beacham  | Converse        | Edmondson |

|                     |               |                   |
|---------------------|---------------|-------------------|
| Ellis               | Lewis         | Rosser            |
| Fender              | Middlebrooks  | Stubbs of Thomas  |
| Fields of Crisp     | Minter        | Vinson            |
| Hardeman of Jeffs'n | McArthur      | Wasden            |
| Holder of Floyd     | McElreath     | Wright of Stewart |
| Kelley              | Paulk         | Mr. Speaker       |
| Kicklighter         | Persons       |                   |
| Lawrence            | Reid of Macon |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 112, nays, 41.

The bill having failed to receive the requisite Constitutional two-thirds majority was lost.

Leave of absence was granted Mr. Beacham, of Dooly, sickness.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this Hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendment of the House to the following bill of the Senate, to-wit:

A bill to propose an amendment to the Constitution of Georgia, so as to authorize certain counties to supplement the salaries of judges of the Superior Court.

By unanimous consent the following bills were read the first time, to-wit:

By Messrs. Jones and Keith, of Meriwether—

A bill to incorporate the town of Durand.

Referred to Committee on Corporations.

By Mr. Meadows, of Telfair—

A bill to amend an Act to incorporate the town of Milan.

Referred to Committee on Corporations.

By Mr. Pope, of Brooks—

A bill to amend the charter of the town of Barwick.

Referred to Committee on Counties and County Matters.



By Messrs. Brown, Alexander and McElreath—

A bill to amend an Act to reorganize the militia of Georgia.

Referred to Committee on Military Affairs.

By Mr. Calbeck, of Gordon—

A bill to amend the charter of the town of Calhoun.

Referred to Committee on Corporations.

By Messrs. Brown, McElreath and Alexander—

A bill to provide that no common drinking cup shall be supplied in public places.

Referred to Committee on Hygiene and Sanitation.

By Mr. Alexander, of Fulton—

A resolution to provide for placing benches on the capitol grounds.

To lie on table 1 day.

By Mr. Paulk, of Berrien—

A bill to amend the charter of the city of Nashville.

Referred to Committee on Corporations.

By Mr. Gastley, of Habersham—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Habersham.

Referred to Committee on Corporations.

By Messrs. Brinson, of Decatur; Alexander, of Fulton—

A resolution providing that the State cede to Atlanta the old locomotive “Texas.”

Referred to Committee on W. & A. R. R.

By Mr. Elder, of Oconee—

A resolution to request the removal from office of Henry A. Rucker.

To lie on table 1 day.

By Mr. Reese, of Glynn—

A bill to repeal an Act to prevent hogs from running at large on the Island of St. Simons.

Referred to Committee on General Agriculture.

By Mr. Miller, of Calhoun—

A resolution to pay pension of I. N. Burney

Referred to Committee on Pensions:

By Messrs. Rentz and Holtzelaw, of Houston—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Houston.

Referred to Committee on Counties and County Matters.

Mr. Persons, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. Speaker:*

Your Committee on Constitutional Amendments has had under consideration House Bill No. 96 and have authorized me, as their Chairman, to report

the same back with the recommendation that it do pass as amended by substitute.

PERSONS, Chairman.

August 2nd 1910.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters submitted the following report:

*Mr. Speaker:*

Your Committee on County and County Matters, having considered the following bills, make report, to-wit:

That House Bill No. 1069, "to fix salary of Treasurer of Harris county," do pass.

That House Bill No. 1072, "to fix salary for Treasurer of Haralson county," do pass.

Respectfully submitted,

MACINTYRE, Chairman.

The following bills were read the second time, to-wit:

By Messrs. McElreath, Alexander and Brown—

A resolution to cede certain property on Peachtree Street to Atlanta so as to widen said street,

By Messrs. Brown, McElreath and Alexander—

A resolution to pay pension of A. V. Poole.

By Messrs. Baker, Burch and Lewis—

A resolution to pay C. B. Weatherly stenographer for Committee to rearrange Judicial Circuits.

By Messrs. Alexander, Brown and McElreath—

A resolution to authorize the City of Atlanta to build viaducts across the right-of-way of the W. & A. Railroad.

By Mr. Keith, of Meriwether—

A resolution to pay stenographer in investigation of office of Public Keeper of Buildings and Grounds.

By Mr. Alexander, of DeKalb—

A bill to amend the Constitution so as to increase the salary of the Comptroller General.

By Messrs. Parker and Kidd—

A bill to provide for the distribution of tax arising from tax on dogs.

By Mr. Vinson, of Baldwin—

A bill to authorize Prison Commission to erect certain buildings at State Farm.

By Messrs. Heard and Beacham—

A bill to require Fire Insurance Companies doing business on assessment plan to make deposit.

By Messrs. Simpson and McConnell—

A bill to amend the charter of the city of Buford.

By Mr. Calbeck, of Gordon—

A bill to incorporate the town of Ranger.

By Mr. Rosser, of Walker—

A bill to amend the charter of LaFayette.

By Mr. Alexander, of DeKalb—

A bill to amend the charter of the town of Decatur.

By Mr. Barrett, of Stephens—

A bill to appropriate \$2000, to the State Board of Health.

By Mr. Williams, of Madison—

A bill to authorize the town of Comer to issue bonds for water works.

By Mr. Ellison, of Harris—

A bill to fix the salary of the Treasurer of Harris county.

By Mr. Waddell, of Haralson—

A bill to fix the salary of the Treasurer of Haralson county

By Mr. Walters, of Harris—

A bill to incorporate the town of Berlin.

By Mr. Peacock, of Pulaski—

A bill to incorporate the town of Mitchells District.

By unanimous consent House Bill No. 984 was tabled.

The following Senate Bills were read the second time, to-wit:

By Messrs. Slaton, of 35th district, McWilliams, of 34th district—

A bill to amend the Constitution, so as to increase the salary of the State School Commissioner.

By Mr. Calhoun, of 15th district—

A bill to amend an Act to incorporate the town of Soperton.

The following Senate Bills were read the first time, to-wit:

By Mr. Callaway, of 29th district—

A bill to amend an Act to amend Section 2166 of the Code.

Referred to Committee on General Judiciary.

By Mr. Harrell, of 12th district—

A bill to authorize the Commissioners of Stewart county to pay costs.

Referred to Committee on Counties and County Matters.



By Mr. King, of 14th district—

A bill to provide Solicitors of City Courts.

Referred to Committee on Special Judiciary.

By Mr. King, of 14th district—

A bill to provide for the transfer of Registered Matters of municipalities and etc.

Referred to Committee on Corporations.

By Mr. Kemp, of 16th district—

A bill to amend an Act to create the City Court of Swainesboro.

Referred to Committee on Special Judiciary.

By Mr. Mathews, of 23rd district—

A bill to provide a method of assessing and collecting taxes.

Referred to Committee on Ways and Means.

By Mr. Stevens, of 30th district—

A bill to amend the charter of the town of Lexington.

Referred to Committee on Corporations.

By Mr. Sellers, of 3rd district —

A bill to restrict the Jurisdiction of the City Court of Baxley

Referred to Committee on General Judiciary.

By Mr. Slaton, of 35th district—

A bill to allow County Commissioners of certain counties to condemn land for road purposes.

Referred to Committee on Counties and County Matters.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Ford, of Worth—

A bill to amend an Act to create the City Court of Sylvester.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 100, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Fender, of Lowndes—

A bill to require the Commissioners of Lowndes county to work roads running through municipalities.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Ford, of Worth—

A bill to repeal an Act to amend, to create the City Court of Sylvester.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Brown, of Murray—

A bill to fix the salary of the Treasurer of Murray county

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reeves, of McDuffie—

A bill to incorporate the town of Dearing.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid, of Macon—

A bill to amend and consolidate all Acts to incorporate the town of Marshallville.

The report of the Committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid, of Macon—

A bill to amend an Act creating a Board of Commissioners for Macon county

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of DeKalb—

A bill to provide a new charter for the town of East Lake.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Lawrence, Anderson and McCarty—

A bill to authorize the County Physicians in certain counties to employ nurses for County Convict Hospital.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Simpson and McConnell—

A bill to amend an Act to incorporate the town of Norcross.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 100; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hardeman, of Jefferson—

A bill to amend an Act to create a system of schools for Louisville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hardeman, of Jefferson —

A bill to amend an Act to create a system of public schools for Louisville

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

The house concurred in the Senate amendments to the following House Bills, to-wit:

By Mr. McElreath, of Fulton—

A bill to authorize County Commissioners to create a Board of Examiners of stationary engineers.

By Mr. Chandler, of Franklin —

A bill to repeal an Act to create the office of Commissioners of Roads and Revenues for Franklin county

The following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Slaton, of 35th district—

A bill to provide for the control of cemeteries in certain counties.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Akin, of 4th district—

A bill to authorize the Commissioners of Glynn county to fix the salary of the Clerk of said Commissioners.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98; nays 0.

The bill having received the requisite Constitutional majority was passed.

The following special orders were taken up, read the third time and put upon their passage, to-wit:

By Mr. Persons, of Monroe—

A bill to revise the school laws so as to substitute



a County Superintendent of schools for County Commissioner of Education.

The Committee on Education proposed a substitute for the above bill, which was amended as follows:

To amend Section 1 line 9 by striking "4 years" and substituting "6 years."

To amend by striking all after word "Education" in line 6 to and including word "determine" in line 12 of Section 1, and inserting in lieu thereof the words: "The six citizens aforesaid shall be experienced educators of prominence, actually engaged in educational work not less than two of whom shall be elected from the public or common school teachers and County Superintendents of this State, as said electing officers shall determine."

The substitute was then adopted as amended.

The report of the Committee which was favorable to the bill by substitute was agreed to as amended.

On the passage of the bill the ayes were 96; nays 4.

The bill having received the requisite Constitutional majority was passed by substitute as amended.

On motion of Mr. Persons, of Monroe, House Bills Nos. 202, 203, 430 were tabled; the same being companion bills to the bill first passed.

The next special order is as follows, to-wit:

By Messrs. Barksdale and Booker, of Wilkes—

A bill to create a new judicial circuit; to provide a Judge and Solicitor General therefor, and for other purposes.

The Committee proposed a substitute for the bill which was amended as follows:

By Messrs. Barksdale and Booker—

To amend by striking all the words in line 3, Section 1, after the word “after” and before the word “a” and insert in lieu thereof the following “the first day of January 1911” also to amend by adding a new Section to be numbered 6 to read as follows: Section 6. Be it further enacted by the same authority that the Courts of the Counties of the Toombs Circuit shall be held quarterly as follows: Lincoln 4th Mondays in April, June, October, and January; Glascock, 3d Mondays in February, May, August, and November; Taliaferro, 4th Mondays in February, May, August, and November; Warren county, 1st Mondays in April, July, October, and January; Wilkes, 1st Mondays in May, August, November, and February. *Provided, however,* that the Grand Juries of the counties of this circuit shall not be convened except for the Spring and Fall terms of the Court unless in the discretion of the presiding judge it

shall be deemed expedient to call a special session of the Grand Jury at some other term.”

The report of the Committee which was favorable to the passage of the bill by substitute as amended was agreed to.

On the passage of the bill the ayes were 93; nays 8.

The bill having received the requisite Constitutional majority was passed by substitute as amended.

The next special order for consideration was the following bill, which was read third time and put upon its passage, to-wit:

.By Mr. Davis, of Dougherty—

A bill to amend an Act to create in the Treasury Department, a Bureau and for other purposes.

Pending discussion on the above bill a motion to adjourn was put and carried and the same was put over as unfinished business.

The Speaker then announced the house adjourned until 9 o'clock to-morrow morning.

## ATLANTA, GEORGIA,

THURSDAY, August 4th, 1910.

The house met pursuant to adjournment at 9 o'clock A. M. this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                      |
|---------------------|-----------|----------------------|
| Adams               | Burch     | Faireloth            |
| Alexander of DeKalb | Butt      | Fender               |
| Alexander of Fulton | Buxton    | Field of DeKalb      |
| Allen               | Calbeck   | Fields of Crisp      |
| Alley               | Cannon    | Ford                 |
| Anderson of Bullock | Carswell  | Fullbright           |
| Anderson of Chatham | Carter    | Garlington           |
| Armistead           | Chandler  | Gastley              |
| Atherton            | Childs    | Gillis               |
| Atkinson            | Converse  | Godley               |
| Ault                | Cooke     | Graddick             |
| Barksdale           | Cordell   | Griffin of Sumter    |
| Bagley              | Couch     | Griffin of Twiggs    |
| Bailey              | Cowan     | Guyton               |
| Baker               | Culberson | Hall                 |
| Barrett             | Cureton   | Hardeman of Jeff's'n |
| Beacham             | Daniel    | Hardman of Jackson   |
| Bell                | Davis     | Harrington           |
| Berry               | Dickson   | Harvey               |
| Booker              | Drawdy    | Hatfield             |
| Boyd                | Edmondson | Heard                |
| Brinson of Decatur  | Edwards   | Helms                |
| Brinson of Emanuel  | Elder     | Henderson of Irwin   |
| Brown of Carroll    | Ellis     | Henderson of Turner  |
| Brown of Fulton     | Ellison   | Hendricks            |
| Brown of Henry      | English   | Hill                 |
| Brown of Murray     | Evans     | Holder of Floyd      |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzclaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slade             |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrary             | Smith of Tattnall |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Oliver              | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipseed        |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Pickett             | Waddell           |
| Lewis                 | Pierce              | Walters           |
| Littleton             | Poppe               | Wasden            |
| Lord                  | Porter              | Watkins           |
| Lovejoy               | Price               | White of Screven  |
| Martin                | Proctor             | Whiteley          |
| Meadows of Telfair    | Reaves              | Wight of Grady    |
| Meadows of Toombs     | Redding             | Williams          |
| Middlebrooks          | Reese               | Wohlwender        |
| Miller of Calhoun     | Reid of Campbell    | Wood              |
| Miller of Ware        | Reid of Macon       | Woodliff          |
| Milikin               | Rentz               | Wright of Floyd   |
| Minter                | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |

Mr. Henderson, of Irwin gave notice that at the proper time he would move to re-consider the action of the house in defeating the bill of the Senate to abolish the office of County Treasurer.

By unanimous consent the reading of the journal of yesterday's proceedings was dispensed with.

By unanimous consent the Speaker made the following Committee assignment: to the Western and Atlantic Committee—Messrs. Martin, of Lee; Pickett, of Terrell, Stubbs, of Putnam.

By unanimous consent the following bills were read the third time and put upon their passage, to-wit:

By Mr. Ault, of Polk—

A bill to amend Section 813 of the Code of 1895 and for other purposes.

The following amendment was adopted:

By Mr. Ault—

To amend by adding a new Section as follows:  
“This Act to become effective January, 1st 1911.

The favorable report was agreed to as amended.

On the passage of the bill the ayes were 102; nays 6.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Butt, of Fannin—

A bill to amend Section 4646, Volume 2 of the Code, which relates to the time when answers to writs of certiorari shall be filed.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 114; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McCutchen, of Heard—

A bill to provide in what cases counties shall be charged with the expense of arrests and for other purposes.

The following amendment by Mr. McCutchen was adopted, to-wit:

To amend by inserting the words “before or” after word “carried” in the line next to the last in Section 1.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 93; nays 1.

The bill having received the requisite Constitutional majority was passed as amended.

By Messrs. Miller, of Ware and Boyd, of Spalding—

A bill to amend an Act providing for the establishment of the Agricultural Experiment Station.

The following amendment was adopted:

To amend by striking all of Section 5 and numbering remaining Sections.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 75; nays, 28.

The bill having failed to receive the requisite Constitutional majority was lost.

By unanimous consent the following bill was taken up and the Senate amendments concurred in, to-wit:

By Mr. Boyd, of Spalding—

A bill to consolidate the laws to create the charter of the City of Griffin.

By unanimous consent the following bill was read the second time and recommitted, to-wit:



By Messrs. Jones and Keith, of Meriwether—

A bill to incorporate the town of Durand.

On motion of Mr. Lewis, of Hancock, the House reconsidered its action, defeating House Bill No. 950.

By unanimous consent Senate Bill No. 31, was taken from the table and placed on the Calendar.

Upon the request of Mr. Longley, Senator from the 37th district the following communication was read:

ATLANTA, August, 2nd 1910.

HON. J. N. HOLDER,

Speaker of the House of Representatives.

*Mr. Speaker:*

There is pending in the House, Senate Resolution No. 50 for the preservation of the history engine "Texas" the capture of the stolen engine "general" during the stormy sixties. This old engine is rusting in the shops of the W & A. Railroad and has been laid aside as a castaway, while the "general" is in a good state of preservation. The Senate without a dissenting vote passed the resolution and appointed the two committeemen as provided by the resolution. It might be well for the house to appropriate

a small amount for necessary repairs on the Texas. I am in receipt of letters urging me to press this resolution and I am writing this note lest it might be overlooked.

Respectfully,

F. M. LONGLEY, 37th district.

The following communication was read:

COUNCIL CHAMBER, ATLANTA, GEORGIA,

August, 1st 1910.

By Councilman Chambers—

Resolved by the Mayor and General Council that whereas, there is now located on a sidetrack in the yards of the Western & Atlantic Railroad in the city of Atlanta, in a dilapidated condition, an old locomotive engine known and called by the name of the "Texas," and

Whereas such engine has a history which is connected with the sentiments, traditions and principles of the "Old South," and same should be preserved as a memento of the great struggles between the sections of our Country in the sixties, and

Whereas, there is now pending before the Legislature of Georgia a resolution looking to the turning over to the City of Atlanta the said engine;

Therefore, Resolved, that if such resolution should pass the Legislature of Georgia, the city of Atlanta will remove such engine from its present location to Grant Park, and there provide suitable location for same in a building where it can be on exhibition similar to the "Cyclorama" without cost to the State of Georgia.

Adopted by Council August 1st, 1910.

A true copy

J. P. FOSTER, Clerk of Council.

By motion of Mr. Anderson, of Chatham the house reconsidered its action in fixing the sessions of the house from 9 till 2 o'clock.

Mr. Anderson then moved that the remainder of the session the house hold two sessions a day, beginning at 9 o'clock A. M. to 1 o'clock P. M. and from 2:30 P. M. to 5 P. M. except on Saturday, when the hours shall be from 9 A. M. to 1 P. M.

The following resolution was read and adopted, to-wit:

By Mr. Brown, of Murray—

A resolution tendering the sympathy of the house to Hon. L. W. Johnson, of Jeff Davis county.

On motion of Mr. Henderson, of Irwin the house reconsidered its action in defeating Senate Bill No. 10.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendment of the House to the following bill of the Senate, to-wit:

A bill to amend the charter of the city of Sparta, approved, August 7th 1905.

The following message was received from the senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute, by requisite Constitutional majority the following bill of the house, to-wit:

A bill to provide for the establishing of certificates of stock of banks or private corporations in lieu of lost certificates and for other purposes.

The Senate has passed as amended by a requisite Constitutional majority, the following bill of the House, to-wit:

A bill to provide for the payment by counties having a population of not less than 24,890 nor more than 24,995 of actual costs incurred in the Superior and City Courts, in certain cases.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority, the following bills of the House, to-wit:

A bill to appropriate \$35,000.00 for the building upon the campus of the Georgia Normal and Industrial College at Milledgeville, Georgia.

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Turner county

A bill to amend an Act to incorporate the town of Sycamore, approved September 29th 1891.

A bill to prevent hunting fox during certain seasons of the year in the county of White.

A bill to abolish the City Court of Calhoun county

A bill to incorporate the city of Sale City in Mitchell county.

A bill to incorporate the town of Oakhurst in DeKalb county.

A bill to amend the laws relating to the City Court of Savannah.

A bill to revise, consolidate and supersede the Acts incorporating the town of Bowden, in the county of Carroll.

A bill to amend an Act creating a Board of Roads and Revenues for the county of Washington.

A bill to authorize the Mayor and Council of Marietta to order an election upon the question of issuing water works bonds.

A bill to amend an Act to establish a system of Public Schools for the city of Ocilla.

A bill to create a Board of Commissioners of Roads and Revenues for the county of Putnam.

A bill to amend an Act creating the office of Commissioner of Roads and Revenues for the county of Carroll.

A bill to amend the charter of the town of Grantville.

A bill to amend the charter of the town of Kite.

A bill to incorporate the city of Commerce.

A bill to amend the charter of the town of Kingston, in the county of Bartow.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to prohibit the shooting at any occupied house with any gun or pistol.

A bill to authorize the Commissioners of Commons of the city of Columbus to convey to the city of Columbus the title to certain common land.

A bill to provide for the regulation of inspection of grain and hay.

A bill to change the time of holding the Supreme Court of Dawson county

A bill to amend an Act incorporating the city of Hartwell.

Mr White, Chairman of the Committee on Pensions submitted the following report:

*Mr. Speaker:*

The Committee on Pensions having had under consideration the following bills and resolutions return the same with the following recommendations:

That House Bill No. 1068. Do not pass.

That House Resolution No. 287. Do pass.

Respectfully submitted,

WHITE, Chairman.

August, 4th 1910.

Mr. Hall, Chairman of Committee on General Judiciary submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following bills of the Senate and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to amend Act amending Section 2166 Code of Georgia 1895 relative to extension of railroad charters.

A bill to restrict jurisdiction of City Court of Baxley.

Also the following bills of the Senate with the recommendation that same do not pass, to-wit:

A bill to define the rights of Orphan Homes and other benevolent institutions of this State.



A bill to regulate mortgage fi. fas. to seven years.

A bill to regulate the grant of new trials.

Respectfully submitted,

JOSEPH H. HALL, Chairman.

Mr. MacIntyre, Chairman of the Committee on Counties and County Matters submitted the following report:

*Mr. Speaker:*

Committee on Counties and County Matters make report upon the following bills, to-wit:

That House Bill 1081—To repeal Act amending charter of Barwick. Do pass.

House Bill 1084—To amend Road Commissioners Houston county. Do pass.

Senate Bill No. 272—To amend Road Commissioners of Stewart county. Do pass.

Senate Bill No. 214—To grant powers to Road Commissioners in counties over 125,000 inhabitants. Do pass.

Respectfully submitted,

MACINTYRE, Chairman.

Mr. Johnson, of Bartow, Chairman Committee on General Agriculture submitted the following report:

*Mr Speaker:*

Your Committee on General Agriculture have had under consideration House Bill 1083, a bill to repeal Hog Law, on St. Simon's Island and have instructed me as their Chairman to report the same back with recommendation that it do pass.

JOHNSON, of Bartow, Chairman.

Mr. Persons, Chairman of the Committee on Constitutional amendments submitted the following report:

*Mr Speaker:*

Your Committee on Constitutional amendments has had under consideration Senate Bill No. 197, and has authorized me as their Chairman to report the same back to the house with the recommendation that the same do not pass.

PERSONS, Chairman.

August, 4th 1910.

Mr. Reid, Chairman of the Committee on Ways and Means submitted the following report:

*Mr. Speaker:*

Your Committee on Ways and Means have had under consideration Senate Bill No. 133 by Mr Mathews, 23rd district, being a bill to be entitled an Act to provide a method for assessing and collecting taxes where such taxes are authorized and no adequate provision is made in the Act authorizing the same or in the general law, for giving the taxpayer notice and opportunity to be heard as to valuations, etc. And they instruct me as their Chairman to report the same back to the House with recommendation that the same do pass.

Respectfully submitted,

C. S. REID, Chairman.

Mr. Alexander, of DeKalb, Chairman of the W. & A. Railroad Committee submitted the following report:

*Mr. Speaker:*

Your Committee on the Western and Atlantic Railroad have had under consideration Senate Resolution No. 48, providing for a joint Committee to consider and report on the need for terminals at Chattanooga and instruct me as their Chairman to report the same back with the recommendation that the same do not pass.

Your Committee have also had under consideration House Resolution No. 313 relating to the preservation of the engine Texas and direct me as their Chairman to report the same back with the recommendation that it do pass.

Your Committee have also had under consideration House Bill No. 863 known as the Plaza bill and instruct me as their Chairman to report the same back with the recommendation that the same do pass by substitute wherewith submitted to the House.

Respectfully submitted

HOOPER ALEXANDER, Chairman.

The following bills were taken up under the head of unfinished business for further consideration, to-wit:

By Messrs. Fullbright, of Burke, Garlington, of Richmond—

A bill to amend Section 2279 of the Code fixing the time when the responsibility of common carriers commences.

On motion of Mr. Anderson, of Chatham the above bill was tabled.

By Mr. Davis, of Dougherty—

A bill to amend an Act to create in the State Treasury a Bank Bureau and for other purposes.

The following amendments were adopted, to-wit:  
By the Committee, to amend by inserting the word “penal” before the word “provision” in last line of Section 23.

To amend by inserting the words “or have them amply secured” at the end of line 23 Section 25, after word “collected.”

To amend by striking from line 4 Section 23 the words “and after if necessary; and oftener if necessary,” and add at the end of said Section “That nothing in this Act shall be so construed as to apply to private banks doing business in this State.”

To amend by striking out all of Section 35.

To amend Section 38 by striking out of line 3 the words: “shall not at any time exceed the unimpaired capital, surplus and undivided profits,” and in lieu thereof insert “shall not exceed double the capital stock paid in.”

The following amendment by Mr. Anderson, of Chatham was adopted.

To amend by striking out the words \$25,000 and inserting the words \$15,000 wherever the same occurs.

The report of the Committee, which was favorable to the passage of the bill as amended was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Adams               | Converse            | Kirby              |
| Alexander of DeKalb | Cooke               | Lawrence           |
| Alexander of Fulton | Cordell             | Littleton          |
| Allen               | Couch               | Lovejoy            |
| Anderson of Bullock | Cowan               | Martin             |
| Anderson of Chatham | Daniel              | Middlebrooks       |
| Armistead           | Davis               | Minter             |
| Atherton            | Dickson             | Mitchell           |
| Ault                | Edmondson           | Moore              |
| Barksdale           | Ellis               | MacFarland         |
| Baker               | English             | MacIntyre          |
| Barrett             | Evans               | McCarthy           |
| Bell                | Fairecloth          | McCurry            |
| Booker              | Ford                | McCutchen          |
| Boyd                | Fellbright          | McElreath          |
| Brinson of Decatur  | Garlington          | McMahan            |
| Brown of Carroll    | Gayton              | McMichael of Butts |
| Brown of Henry      | Hall                | McWhorter          |
| Brown of Murray     | Hardman of Jackson  | Paulk              |
| Butt                | Hatfield            | Peacock            |
| Calbeck             | Henderson of Irwin  | Persons            |
| Cannon              | Hill                | Pierce             |
| Carswell            | Holder of Floyd     | Pope               |
| Carter              | Jones of Meriwether | Redding            |
| Chandler            | Kendrick            | Reese              |
| Childs              | Kidd                | Reid of Campbell   |

|                 |                  |                |
|-----------------|------------------|----------------|
| Roberts         | Stubbs of Putnam | Watkins        |
| Simmons         | Tuggle           | Wight of Grady |
| Slade           | Upshaw           | Williams       |
| Smith of Gilmer | Vinson           | Wohlwender     |

Those voting in the negative were Messrs.:

|                     |                   |                   |
|---------------------|-------------------|-------------------|
| Bailey              | Hendricks         | Reaves            |
| Berry               | Holtzelaw         | Reid of Macon     |
| Brinson of Emanuel  | Howell            | Rentz             |
| Culberson           | Huie              | Rogers            |
| Cureton             | Johnson of Bartow | Rosser            |
| Drawdy              | Johnson of Towns  | Sheppard          |
| Edwards             | Joiner            | Shirley           |
| Elder               | Jones of Laurens  | Smith of Tattnall |
| Ellison             | Jones of Mitchell | Smith of Walton   |
| Field of DeKalb     | Kennedy           | Strong            |
| Gastley             | Lewis             | Tarver            |
| Gillis              | Lord              | Tippins           |
| Godley              | Miller of Ware    | Tracey            |
| Graddick            | Milikin           | Turnipseed        |
| Griffin of Sumter   | McConnell         | Waddell           |
| Griffin of Twiggs   | McCrory           | Walters           |
| Harrington          | Oliver            | White of Screven  |
| Harvey              | Parker of Talbot  | Whiteley          |
| Heard               | Prica             | Wood              |
| Henderson of Turner | Proctor           |                   |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Alley               | Hullender             | Pickett           |
| Atkinson            | Johnson of Jeff Davis | Porter            |
| Bagley              | Keith                 | Simpson           |
| Beacham             | Kelley                | Stovall           |
| Brown of Fulton     | Kicklighter           | Stubbs of Thomas  |
| Burch               | Meadows of Telfair    | Turner            |
| Buxton              | Meadows of Toombs     | Wasden            |
| Fender              | Miller of Calhoun     | Woodliff          |
| Fields of Crisp     | Moss                  | Wright of Floyd   |
| Hardeman of Jeffs'n | McArthur              | Wright of Stewart |
| Helms               | McMichael of Marion   | Mr. Speaker       |
| Hubbard             | Parker of Decatur     |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 90; nays 59.

The bill having failed to receive the requisite Constitutional majority was lost.

By Messrs. Brown, of Carroll, Lawrence, of Chatham and Jones, of Meriwether—

A bill to adopt and make of force the Code of Laws prepared by John L. Hopkins.

An appropriation being involved the Speaker resolved the house into the Committee of the whole and designated Mr. Anderson of Chatham as Chairman.

After a consideration of the bill the Committee arose and through its Chairman reported progress and asked leave to sit again.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended by a requisite Constitutional majority the following bill of the House, to-wit:



A bill to amend Paragraph 2, Article 7 of the Constitution of Georgia by striking certain words.

The following bill was taken up and the Senate amendment agreed to, to-wit:

By Mr. Persons, of Monroe—

A bill to amend Paragraph 2 Section 6 Act 7 of the Constitution.

Mr. Hall, of Bibb, moved to adjourn, which motion prevailed and the business for which the session was extended was taken up.

The following bills were read the second time, to-wit:

By Messrs. Brown, McElreath and Alexander, of Fulton—

A bill to provide for the establishment of a Civic Center for Atlanta.

By Messrs. Rentz and Holtzelaw, of Houston—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the county of Houston.

The following Senate Resolution was taken up, read and adopted, to-wit:

By Mr. Longley, of 37th district—

A resolution in reference to the engines “General” and “Texas.”

The following bill was read the third time and put upon its passage, to-wit:

By Mr. Hall, of Bibb—

A bill to amend the charter of the city of Macon.

The following amendments were adopted:

To amend by striking the title and inserting the following; “a bill to be entitled an Act to amend an Act to incorporate the Mayor and Council of the city of Macon and the several Acts amendatory thereof, and for other purposes.”

To amend Section 1 by inserting the following words; “and the Mayor and Council of the city of Macon are hereby authorized to own and operate within the city of Macon and county of Bibb a system of waterworks for supplying water to the citizens of Macon and the county of Bibb whenever the said city shall acquire the same as provided for in this bill.

To amend Section 1 line 5 by inserting between the word “now” and “operated” the words “own or.”

To amend Section 3 by striking the word "many" in line 8 and inserting the words; "as much of the proceeds."

To amend Section 4 by adding at the end thereof the following; "that the Mayor and Council shall call said election not later than the first day of April, 1911."

To amend Section 6 by striking all of lines 13, 14, 15, 16, 17, 18, 19 between the words "company" and the words "said contract."

To amend Section 12 line 9 after word "contract" and before word purchase by striking the words "or to" and inserting the words "and shall have power in any contract made under the provisions of this Act to provide for this."

To amend by inserting after the word purchase at end of line 9, the word "of."

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

Leave of absence was granted Mr. Oliver, of Quitman, business.

The Speaker then announced the House adjourned until 2:30 o'clock this afternoon.

2:30 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

Mr. Miller, of Ware gave notice that at the proper time he would move to reconsider the action of the house in defeating House Bill No. 540.

The order of business as prescribed by the Committee on Rules during the morning session was taken up and the following new bills were read the first time, to-wit:

By Mr. Burch, of Lawrence—

A bill to create a new charter for the town of Dexter.

Referred to Committee on Corporations.

By Mr. Rosser, of Walker —

A bill to amend Section 982 Volume 1 of the Code

so as to add the town of Ringgold to the list of State Depositories.

Referred to Committee on Banks and Banking.

By Mr. Rosser, of Walker—

A bill to make the 1st National Bank of La Fayette a State Depository.

Referred to Committee on Banks and Banking.

By Mr. Alexander, of DeKalb—

A resolution to authorize the Governor to accept certain lands on the Tallulah river.

Lie on table 1 day.

By Mr. Barrett, of Stephens—

A bill to appropriate \$50.00 to pay for water furnished the house during 1910.

Referred to Committee on Appropriations.

By Mr. Middlebrooks, of Newton—

A bill to amend the charter of the town of Oxford.

Referred to Committee on Corporations.

By Mr. Harrington, of Liberty—

A bill to make House Bill No. 723 a special order.

Referred to Committee on Rules.

The following bills were read the second time, to-wit:

By Mr. Rogers, of Randolph—

A resolution to pay pension to A. H. Harrison.

By Messrs. Brinson, of Decatur, Alexander, of Fulton—

A resolution to provide for the cession of the old locomotive engine “Texas” to the city of Atlanta.

By Mr. Pope, of Brooks—

A bill to repeal an Act to amend the charter of the town of Barwick.

By Mr. Reese, of Glynn—

A bill to repeal an Act to prevent logs from running at large on the Island of St. Simons.

By Mr. Paulk, of Berrien—

A bill to amend the charter of the city of Nashville.

The above bill was recommitted to Committee on Corporations.

The following House bills were read the third time, to-wit:

By Mr. Calbeck, of Gordon—

A bill to incorporate the town of Rangers.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Rosser, of Walker—

A bill to amend the charter of the city of La Fayette.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of DeKalb—

A bill to amend the charter of the city of Atlanta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Williams, of Madison—

A bill to authorize the town of Comer to issue bonds for waterworks.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.



By Mr. Ellison, of Harris—

A bill to fix the salary of the Treasurer of Harris county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Simpson and McConnell, of Gwinnett—

A bill to amend the charter of the city of Buford.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 112, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Waddell, of Haralson—

A bill to fix the salary of the Treasurer of Haralson county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 102, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Walters, of Colquitt—

A bill to incorporate the town of Berlin.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Peacock, of Pulaski—

A bill to amend an Act to incorporate the town of Mitchells District.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a system of public schools for the city of Marietta.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Burch, of Laurens—

A bill to regulate the practice of optometry.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 45, nays, 67.

The bill having failed to receive the requisite Constitutional majority was lost.

By Mr. McElreath, of Fulton—

A bill to amend an Act to incorporate the city of Hapeville.

The following amendments were adopted, to-wit:

The Committee amends by striking out Sections one (1) and three (3) of said bill, and by inserting in lieu of Section one (1) thereof the following, to-wit:

“SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That the Act approved September 16, 1891, entitled “An Act to incorporate the city of Hapeville, Georgia, and for other purposes,” and the several Acts amendatory thereof, be and they are hereby amended so as to extend the corporate limits of said city of Hapeville, and to provide that the corporate limits of said city of Hapeville as hereby amended shall embrace and include the following territory, to-wit: All that tract or parcel of land described as follows: Beginning at the original northwest corner of land lot ninety-nine (99) of the fourteenth (14) district of originally Henry, now Fulton county, Georgia, and running thence East along the original north lines of land lots ninety-nine (99) and ninety-four (94) to the original northeast corner of land lot ninety-four (94); thence south along the original east lines of land lots ninety-four (94) and ninety-five (95) to the present corporate limits of said city of Hapeville; thence southeasterly along the present corporate limits of said city of Hapeville and beyond, following a straight line, to the right-of-way of the Southern Railway Company; thence southwesterly

along said right-of-way to the right-of-way of the Central of Georgia Railway Company; thence northwesterly along said right-of-way to the original east line of land lot ninety-six (96); thence South along said east line to the original southeast corner of land lot ninety-seven (97); thence north along the original south lines of land lots ninety-six (96) and ninety-seven (97), to the original southwest corner of land lot ninety-seven (97); thence north along the original west line of land lot ninety-seven (97), to the present corporate limits of said city of Hapeville; thence northwesterly along the present corporate limits to the extreme western corner of said corporate limits; thence northeasterly along present corporate limits of said city of Hapeville to the center of Virginia avenue; thence west along the center of Virginia avenue to the center of Whipple avenue; thence north along the center of Whipple avenue to the southwest corner of the Piedmont Cotton Mills property; thence east along the south line of the Piedmont Cotton Mills property fourteen hundred and fifteen (1415) feet, more or less, to the southeast corner of the Piedmont Cotton Mills property; thence north along the east line of the Cotton Mills property nine hundred and seventy-one (971) feet to the original north line of land lot one hundred and twenty-seven (127); thence east along said original north line of said land lot one hundred and twenty-seven (127) fourteen hundred and eighteen (1418) feet to the northeast corner of said land lot one hundred and twenty seven (127); and thence

north along the original west line of land lot ninety-nine (99) to point of beginning.

To amend by adding the following to be known as "Sec. 4. Be it further enacted by the authority aforesaid, That mayor and council shall have the power and authority to put down such curbing and sidewalks, or such paving of sidewalks or gutters as they may deem proper, one-half of which shall be paid by the city of Hapeville and the other half of which shall be paid by the property owner or owners, respectively, in front of whose properties said improvements may be made. The mayor and council may allow said improvements to be paid for by the property owners in such instances as they may deem proper, but shall have a lien on all abutting property for the payment of all such improvements, said lien to date from the date of the resolution or ordinance ordering and directing that such improvements be made. Should such improvements not be paid for by the abutting property owner or owners within thirty days after demand the collection thereof may be enforced by execution against the lands, goods and chattels of such owner, said execution to be issued and enforced in the same manner as tax executions or executions for taxes due said city of Hapeville.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

The following Senate bills were read the second time, to-wit:

By Mr. Mathews, of 23d district—

A bill to provide a method for assessing and collecting taxes, etc.

By Mr. Slaton, of 35th district—

A bill to allow County Commissioners in certain counties to condemn land for road purposes.

By Mr. Callaway, of 29th district—

A bill to amend an Act to amend Section 2166 of the Code.

By Mr. Sellars, of 3d district—

A bill to restrict the jurisdiction of the City Court of Baxley.

By Mr. Harrell, of 12th district—

A bill to amend an Act to require the Board of

Commissioners of Stewart county to pay legal costs to officers of the courts.

The following Senate bills were read the first time, to-wit:

By Mr. Slaton, of 35th district—

A bill to provide for regulation, inspection, etc., of grain and hay.

Referred to Committee on General Agriculture.

By Mr. Harben, of 32d district—

A bill to change the time of holding the Superior Court of Dawson county

Referred to Committee on Special Judiciary

By Mr. Harrell, of 12th district—

A bill to prohibit shooting at or toward any occupied building or dwelling house.

Referred to Committee on Special Judiciary.

By Mr. McCurry, of 31st district—

A bill to amend an Act to incorporate the town of Hamilton.

Referred to Committee on Corporations.



By Mr. Gordy, of 24th district—

A bill to authorize the Commissioners of Commons of Columbus to cede certain land to the city of Columbus.

Referred to Committee on Special Judiciary.

The following Senate bill was read the third time and put upon its passage, to-wit:

By Mr. Calhoun, of 15th district—

A bill to amend an Act to incorporate the town of Soperton.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 109, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following resolution was taken up and the Senate amendments concurred in, to-wit:

By Messrs. Kirby and Couch, of Coweta—

A bill to provide for the payment of costs in certain counties to officers of the court for trial and conviction of misdemeanor convicts.

As unfinished business the following bill was again taken up for consideration, to-wit:

By Messrs. Brown, of Carroll; Lawrence, of Chatham and Jones, of Meriwether—

A bill to adopt and make of force the Code of laws prepared by John L. Hopkins.

The Speaker again resolved the House into the Committee of the whole and Mr. Anderson, of Chatham resumed the Chair.

After a further consideration of the bill the Committee arose and through its Chairman reported progress and asked leave to sit again.

Mr. Vinson, of Baldwin, moved to adjourn, which motion prevailed, and the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GEORGIA,

FRIDAY, August 5, 1910.

The House met pursuant to adjournment at 9 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

The following resolution was read and referred to the Committee on Rules, to-wit:

By Mr. Johnson, of Bartow—

A resolution to make Senate Bill No. 197 a special order.

By unanimous consent the following bill was taken up, read the third time and put upon its passage, to-wit:

By Mr. Brown, of Fulton—

A bill to regulate the sanitary conditions of hotels, lodging houses, etc.

The substitute offered by the Committee was adopted. •

The report of the bill which was favorable to the passage of the bill by substitute was agreed to.

On the passage of the bill the ayes were 94, nays, 0.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Martin, of Lee—

A bill to provide service by publication in cases of divorce where the defendant can not be found.

The following amendment was adopted:

To amend by adding after the last word of Section 1, the words: “or who has left the State to escape civil process.”

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Baker, of Lumpkin—

A bill to provide for recording of certified copies from the Records of Deeds in certain instances, etc.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110 nays, 1.

The bill having received the requisite Constitutional majority was passed.

By Mr. Garlington, of Richmond—

A bill to require executions to be recorded in the county where the land lies in order to be a lien thereon.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 108 nays, 3.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander, of Fulton—

A bill to provide for the protection of persons furnishing materials and labor for construction of public works.

The substitute proposed by the Committee was adopted.

The favorable report of the Committee was agreed to by substitute.

On the passage of the bill the ayes were 105, nays, 1.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Hall, of Bibb—

A resolution providing for the sale of the Governor's Mansion and the disposition of the funds derived from such sale.

The substitute proposed for the above resolution was read, but before it could be acted on the hour for unanimous consents expired and the bill was carried over as unfinished business.

Mr. Miller, of Ware, moved that the House reconsider its action in defeating House Bill No. 540, which motion prevailed.

Mr. Fullbright, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me, as their Chairman, to report them as follows:

House Bill No. 1059—To pay court officers fees in certain cases. Do pass.

Senate Bill No. 273—Authorizing the Commissioners of Columbus to convey certain lands to the city Do pass.

Senate Bill No. 226—To provide Solicitors for Statutory City Courts. Do pass.

Senate Bill No. 282—To change time of holding Dawson Superior Court. Do pass.

Senate Bill No. 252—To amend City Court Act of Swainsboro. Do pass.

Senate Bill No. 192—To prohibit shooting into occupied dwellings. Do pass as amended.

Senate Bill No. 213—To amend Code, Section 1496, regulating pharmacists license, with the recommendation that it be recommitted to Committee on Hygiene and Sanitation.

Respectfully submitted,

FULLBRIGHT, Chairman.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills and instruct me, as their Chairman, to report same back to the House with the following recommendations, to-wit:

House Bill No. 1062—An Act to amend an Act of the charter and town of East Point. Do not pass.

House Bill No. 1077—To amend the charter of the town of Calhoun, Gordon county. Do pass.

House Bill No. 1078—To create a Board of County Commissioners of Roads and Revenues for the county of Habersham. Do pass.

House Bill No. 1079—To incorporate the town of Durand, Meriwether county. Do pass.

House Bill No. 1080—To amend Act incorporating the town of Milan, Telfair county. Do pass.

Senate Bill No. 110—To provide for the transfer of registered maps of municipalities, when such municipalities have been located in a new county Do pass.

Senate Bill No. 271—To amend the charter of Lexington, Oglethorpe county. Do pass.

House Bill No. 1082—To amend charter of city of Nashville. Do pass.

BUTT, Chairman.



The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following resolutions of the House, to-wit:

A resolution to pay Mrs. R. A. Lynn the pension due her for the years 1903, 1904, 1906 and 1907.

A resolution to submit plans for building on the campus of North Georgia Agricultural College at Dahlonega, Ga., to the Governor and for other purposes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute by a Constitutional majority the following bill of the House, to-wit:

A bill to amend the charter of the town of Avalon.

The Senate has passed, as amended, by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to abolish the City Court of Newton in Baker county.

A bill to amend the charter of the city of Madison.

A bill to reincorporate the town of Kirkwood.

A bill to require county tax collectors to keep a record in the form of a cash book.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to authorize the county Board of Commissioners of Bibb county to issue and sell bonds for certain purposes.

A bill to require county officers of Telfair county to give as surety on bonds some guaranty company.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitu-

tional majority the following bills of the Senate, to-wit:

A bill to provide for two weeks' session of the Superior Court of Emanuel county.

A bill to provide for liability of husband for torts of wife.

A bill to provide for fish ways over dams and for erection and maintenance of the same.

A bill to require the several Boards of Health to enforce the standard transit permits adopted by the Georgia State Board of Embalming.

A bill to make it unlawful for any person or corporation to publish the name of any woman, upon whom the crime of rape has been committed.

A bill to make the wife a competent witness in all prosecutions for the crime of seduction.

A bill to authorize the State Board of Entomology to employ necessary assistants, and to fix the salary of State Entomologist and assistants.

A bill to amend an Act to establish a State Board of Embalmers.

A bill to provide for the dissolution of corporations.

Mr. Alexander, Chairman of the Committee on W. & A. R. R., submitted the following report:

*Mr. Speaker:*

Your Committee on the affairs of the Western & Atlantic Railroad have had under consideration the special message of the Governor on the subject of the purchase of terminals at Chattanooga and in obedience to the instructions of the House report as follows:

Terminal lands are needed by railroads at stations and in cities for three principal purposes:

1st. For switch yards, storage tracks and the like.

2nd. For depot purposes both for freight and passenger functions.

3rd. For loading and delivery from and to wagons on or from the cars. The tracks so used are frequently called team tracks.

At the smaller stations one piece of land, and it of only small extent, is usually sufficient for all these purposes, and the three classes of yards or terminals are not usually differentiated. Until comparatively recent years this has been to a great extent true also of the larger cities. For some years past, the enormous increase of the transportation busi-

ness, has been constantly forcing the larger and more important lines to a realization of the fact that they have outgrown the provision formerly made for these purposes, and to an extensive enlargement of their yards.

If the ideal were attainable by railroads they would keep all three classes of terminals still in one body and as nearly in the center of the cities as possible. The value of central lands, however, in cities makes this, as a practical matter impossible. They are still able, as a general thing, to keep their freight depots near the center and some times their team tracks. The great extent of land necessary under modern conditions for switch yards on large and important lines, and at large cities, has driven nearly all the roads to seek cheaper lands. In doing so they still keep as near the city as possible, trying to preserve a proper equilibrium between the cost of owning expensive land and the cost of moving trains back and forth to or from cheaper but more distant lands. Ordinarily the point of equilibrium is found near the city limits.

During the last few years all the principal roads entering Atlanta, as those entering other cities, have been acquiring extensive switch yards near the city, are supposed to have expended enormous sums of money for this purpose, and apparently have so done. The same thing has gone on around Chattanooga.

For some years past these considerations have had the attention of the friends of the Western & Atlantic Railroad and the facts referred to have been observed by them.

The terminal yards of the road in Chattanooga are wholly inadequate for its business. The Western & Atlantic Railroad does a larger volume of business per mile than any road in the South. Very few in the United States equal it. Its terminals in Chattanooga, including the passenger depot, embrace about seven or eight acres of land.

This is so inadequate that, if the State desired to lease it to an independent company or to any company or person other than the present lessee, we would be at a great disadvantage. In event of a lease by bids it is doubtful if, in the present state of the terminals any other concern would or could compete. The lessee is independent of terminals because its line is practically a continuation of the Western & Atlantic, and it has extensive switchyards just outside the city limits at the Craven Station and extensive team tracks in the city.

In view of the approaching termination of the lease, it has seemed to your Committee important that a beginning be made in a fuller equipment of terminals. Your Committee still so thinks and respectfully advises the House that unless such steps be taken in timely season the State will be at a great disadvantage when the present lease ends.

Apparently these considerations have had the attention of former Committees. Shortly after the return of the House and Senate Committees from their annual inspection of the property in 1908 a resolution was offered in the Senate by Senator Camp of the 31st directing the Governor then in office to buy lands in or near Chattanooga suitable for switching or delivery purposes. The resolution was adopted in the Senate. In the House a substitute resolution was adopted on the recommendation of the predecessor of this Committee, directing the Governor to procure options on such lands. The Senate agreed to the substitute and it is printed in the volume of Laws of Georgia for 1908, page 79.

At the first session of the present General Assembly the Governor reported that in obedience to this resolution he had procured an option on 30 acres from T. C. Latimore at \$500 per acre and another from C. W. Vinson immediately south of Latimore's lands, of 40 acres at \$1,000 per acre. It must be borne in mind that the road approaches Chattanooga from the north. The Governor strongly urged the purchase of the Latimore tract and also advised, though with less emphasis, the purchase of the Vinson tract. The message on the subject will be found in the House Journal of 1909, page 58.

This Committee shortly afterwards, in the year 1909, visited the property and on its return made a report on the subject advising the purchase of both tracts, though expressing the opinion that the Vin-

son tract was rather high priced. The Committee was at first inclined to believe that the purchase of the Vinson land should be made conditional on his accepting a lower price, but finally decided, on what seemed to it good reasons, that it was the better to close the offer.

The two tracts together give a frontage of about half a mile on the east side of the main track. The resolution for their purchase was reported as originally drawn and the terms of it may be ascertained by reference to the Acts of 1909, page 1047.

While in Chattanooga, some of the members had their attention attracted to another piece of land next south of Vinson's land, which by reason of its triangular shape and consequent complete adaptability for switch and spur tracks, its great length relative to its width, and its adjacency to the tracks of the Southern Railroad, appeared to be a specially desirable addition. The Committee did not inspect this tract though some of the members observed it from the car window. Inquiries set on foot in Chattanooga developed the fact that it belonged to Mr. E. Watkins, and after the Committee had returned to Atlanta and prepared its report, above referred to, and now to be found in the House Journal of 1909, page 1047, an offer was received from Mr. Watkins by mail to sell it at \$14,000. The tract embraced 17 acres and added another half mile to the frontage on the right of way making a total frontage of one mile. This Committee directed, upon what seemed



to it good reasons, that an amendment be added to the resolution providing for the purchase of the Watkin's land. This amendment can be readily recognized in the printed volume of the laws already referred to. The proviso occurring at the end of the resolution was not at that time a part of it.

The House amended the resolution, as recommended, and adopted it as amended, and the Senate agreed to it with a proviso to which the House disagreed. Afterwards the proviso now appearing at the end of the resolution was agreed on in conference and both houses adopted the conference report.

After the adjournment of the General Assembly the resolution was approved by the Governor and he caused the property to be inspected by an agent in whose judgment he had confidence, and thereupon we are informed that he caused an appointment to be made with the owners for Sept. 6th, 1909, at which time they were to produce and present their abstracts. The owners understood this to be an acceptance of the offer. What the report of the agent was or what was contained in the correspondence making the appointment, your Committee are not informed, though the Committee assumes that it was at that time the judgment of the Governor that it was a desirable purchase. This assumption is based on the Governor's letter to the Attorney-General dated September 1st, 1909, and given out to the newspapers on September 2d, 1909, in which he said

“I am anxious to comply with the instructions of the Legislature if there are any funds in the treasury available for that purpose.”

and the following language in a letter from the Governor to the Chairman of this Committee under date of September 8th, 1909.

“I beg to add in conclusion that I would be very glad to purchase the property, but I can not purchase it without the money. The Legislature has simply directed me to do the impossible.”

It appears that on or about September 1st or 2d, 1909, the Governor reached the conclusion that he had not sufficient available funds with which to buy, and gave up the purchase for that reason. So far as your Committee is advised no other reason was then given or made public.

The Governor appears to have still held the matter under advisement for some months, and as late as October, 1909, wrote one of the owners a letter as follows:

“Answering your favor of September 30th will state I am now having an accountant to prepare a report showing the financial condition of the State of Georgia. This report has not yet been rendered and possibly may not be for several days, hence I am not yet in position to make definite answer to

you in the matter of proposed purchase of the lands near Chattanooga for the use of the Western & Atlantic Railroad. I hope to be able to write you more definitely before long."

On January 10th, 1910, the Governor wrote the owner in question as follows:

"Answering your favor of the 7th instant will state that after looking carefully I found that there was no appropriation which could be made available for the purchase of the property for terminal facilities for the Western & Atlantic Railroad near Chattanooga. Consequently I presume we must let the matter drop."

Until the receipt of the Governor's message on July 5th the Committee were not aware that any reason, other than want of funds, had prevented the purchase. In that message four reasons were given as follows why the purchase was not made:

First. Liability to damage to all property in cars in times of overflow.

Secondly. The lack of necessary width at the junction of the Watkins property and the Vinson property, and the subsequent liability to pay an excessive price for the additional land needed.

Thirdly. The location through the Vinson and Latimore properties of the public highway which is the extension of Pennock avenue.

Fourthly The excessive cost for filling in the property to make it available for use as a railroad yard.

Your Committee have investigated these reasons and reported on them as follows:

1. The land has only overflowed three times in 50 years, once in 1867, once in 1875, and once in 1886. In the same floods, practically the whole surrounding country was under water. The track across this land is practically level with the depot floor in the city. Information procured through the Chamber of Commerce, at the instance of the Committee, puts the depot floor at 49 feet above low water and the track running along the land in question as arising from 47 feet at its lowest point to 49 at the highest. Since 1886 the highest points of water reached were 42.5 in 1890, 38.9 in 1891, 37.9 in 1892, 33.4 in 1893, 32.6 in 1895, and 25.5 in 1894. The opinion generally accepted at Chattanooga is that work done by the Government on the Tennessee river channel in the way of removing obstructions has prevented the possibility of future floods so high as that of 1886. It is said that observations of the amount of rise, now shows that the same amount of precipitation over the drainage shed produces far less rise than formerly

Your Committee do not consider it feasible to go into this subject further than to express the current opinion now being acted on by experienced men who

are investing their money there. The land is practically level with the city. Only one other place along the track and in the valley, so far as we can ascertain is higher. If the river should rise again as it did in 1886 it would entirely submerge hundreds of houses situated in the neighborhood and far below the level of this land. Apparently the people there have confidence in the belief that the government works will protect them.

The other railroads share in this confidence. The yards of the Southern are almost adjoining the proposed tract, nearer the river and lower. The yards of the lessee company are on the opposite side of Chattanooga much nearer the river and exactly on the same level as the passenger depot. The railroad track running through the Evans tract referred to in the message, is exactly on the same level, the difference being  $3/10$  of a foot.

2. The narrowness of the Watkins tract at the upper end does not seem to your Committee a disadvantage but rather the contrary. Its shape for spur tracks is, in this particular, ideal. In building spur tracks there is necessarily considerable waste land in a square tract. Of course in so far as it may be desirable to use the Watkins piece in connection with the other pieces, greater width would be desirable, but it is complete in itself. From an examination of the entire situation your Committee do not believe there is any serious danger of excessive charges being made hereafter if it should be desired

to buy other lands. If there is such risk, then the more we can buy cheap now, the better. It was for this reason that we recommended the addition of the very desirable Watkins tract to those recommended by the Governor in 1909.

3. The road referred to by the Governor is very little used and your Committee are assured and convinced that it can and will be closed, and the desire of the Chattanooga people to have this yard opened gives very probable and all the necessary assurance on the subject. The fact is that it only runs through the Vinson and Latimore tracts and that it has already been actually changed to a new road outside of them, a well built and graded road now used by the travel, while the old road is not worked and not desirable.

4. Without a survey no one can tell how much grading will be necessary on the tract. Much of it lies above the railroad grade. Whether there is enough of this dirt to fill the hollows can only be determined by a survey. The lowest point on the land is the culvert referred to by the message as 23 feet below the track. The whole Vinson and Latimore property drains through this culvert. The Governor has been misinformed in the statement that the lands lie practically in their entirety below the track level. Reliable and accurate information on the subject can only be had from an engineer's work. Your Committee have twice inspected this land and are confident that it presents no unusual

difficulties in the matter of grading. On the contrary the lands appear to the ordinary eye to average well in this regard.

In addition to the four reasons given by the Governor for not buying these lands he adds that they are near the city and that "Chattanooga is quite likely at no distant time to annex the territory, etc. This would impose city taxes upon these properties." It is true that they are near the city, but whether likely to be soon annexed or not is not by any means certain. In answer to our inquiry on this subject, made through the Secretary of the Chamber of Commerce, we receive the following information:

"A. 5, 11 1/2 miles to the first line, and the limits are not likely to be extended to it for a long time; and if limits were extended that far, they would take the Southern and C' & S. yards first."

Your Committee do not regard the necessity for paying taxes as an insuperable obstacle. It is one of the necessary incidents of ownership. If the city of Chattanooga should extend its limits to embrace this property there would be of course some relatively small tax burden imposed upon it. To remove further out would save the tax, but there would have to be considered on the other hand the much greater expense imposed on the road for all time in the moving of trains backward and forward over the greater distance. Your Committee can not

think that the apprehension as to taxes is of serious weight.

Your Committee carefully examined the land recommended by the Governor and are not able to advise its purchase.

The land may be roughly described as a rectangle lying east and west and bisected by the tracks running in the same direction and by the Harrison Pike running north and south. The land north of the railroad is traversed for its entire length by Chicamauga Creek flowing in a deep and wide channel, all of which, embracing about 20 acres or more, is useless. The land north of the creek, perhaps ten acres is very low and would be useless. The land north of the track and east of the Harrison Pike slopes rapidly toward the creek and is too low to be practicable though it could be graded up. The land north of the tracks and west of the Harrison Pike varies considerably in level. From such judgment as can be made without a survey, the cost of grading it would not be much greater than the grading of the tract we selected last year, but it is wholly unavailable because cut off by a right of way belonging to another railroad.

The land south of the track is higher and free from the right of way spoken of. The question of grading there would be as to too much dirt rather than too little. That part of it east of the Pike is quite low in some parts but probably has more than



enough hill to fill it. The part west of the Harrison Pike and running back not more than 250 feet (say about 45 acres) lies very well except a high hill at the west end which would involve a cut of something like a hundred feet.

Opinions as to grading formed by the eye are of very little value whether made by this Committee or the Governor and the Committee have set out the foregoing merely as an impression. No survey has ever been made by anybody and we can only express the opinion that so far as the cost of grading is concerned, the deciding advantage is with the piece we formerly advised.

The Harrison Pike would be an insuperable difficulty in the Evans tract unless, as suggested by the Engineer sent with us by the Governor, it can be carried across the yards and tracks by an overhead bridge. By the courtesy of the Governor Mr. H. M. Smith the engineer in question accompanied your Committee in its inspection, and we had the advantage of his advice and experience.

The Harrison Pike is a macadamized road of some importance. The point at which it crosses the track is higher than the land on either side. There is no other available point for it to cross. At this point the track is higher than the land on either side. Mr. Smith estimated that an overhead structure would need to be about 1,000 feet in length. The cost of such a structure it seems to us would be necessarily very great and we think it would need to be longer.

Mr. Smith thinks that this expense could be obviated by confining the switch yards, until a period far in the future, to that part of the land lying south of the track and west of the pike, and indicates a strip there of about 45 acres which he estimates would accommodate 1,800 cars. Whether this takes account of the need for open track we do not know

The principal difficulty, as your Committee sees it is in the distance from the city which seems to us to put the Evans land out of the question.

The lands at Boyce intermediate between the two tracts are more desirable than either, being, beyond any dispute or doubt, above high water. This consideration, it seems to us, might perhaps outweigh their greater distance from the city, if we could buy them at this time. Nor would their greater cost per acre seem to the Committee to be an insuperable objection. Some vague offers to sell them were made by an agent, but nothing which the Committee could look upon as definite and tangible.

Your Committee believe that the Latimore-Vinson-Watkins tract is a desirable purchase, and in fact that it is the only land available for the purpose. Other considerations, not herein set out, but partially indicated in our report last year, and relating to the navigation of the Tennessee River, emphasize this opinion.

We do not recommend its purchase again, because of the fact of the Governor's very decided objections to it, which, as indicated by his message, would be of sufficient weight in his judgment, to induce him to withhold executive approval from a resolution for that purpose.

The question of whether the funds in the treasury in 1909 were sufficient and available is embraced in our instructions. The committee express no opinion on that subject. It is a legal question upon which the Attorney-General's opinion is published in the message. The other view of it is set forth in a correspondence between the Chairman of this Committee and the Governor in September, 1909. We submit that correspondence herewith.

The question of whether the proviso to the purchase resolution vested a discretion in the Governor as to the three tracts or only one is also included in our instructions.

Upon that subject your Committee believe it would be wiser not to undertake the expression of any opinion. It is probable that differences would exist in the Committee and in the House as to the proper view of it, and your Committee fail to see how any practical good could result from it.

We feel as a Committee much regret that circumstances have involved the road in public differences. This was perhaps unavoidable, and your Committee

have no purpose or desire to criticise any one on the subject. We merely feel that it would be better for us to take no part either way in that discussion. The law speaks for itself and it is our desire that the controversy be laid aside.

The interests of the road demand this. It is a great property in which all the citizens of Georgia are deeply concerned, and it is to the interest of all that the policy under which it is to be administered, be determined calmly and without passion. If the subject be dropped for the present, no doubt the next legislature can approach it with cooler judgment than would be possible if we sanction further controversy or give occasion for it.

For these reasons, the Committee will not report further unless specially so instructed by the House.

Respectfully submitted,

HOOPER ALEXANDER, Chairman.

ATLANTA, GA., Sept. 3, 1909.

HON. JOSEPH M. BROWN, *Governor*,

Atlanta, Ga.

DEAR SIR: I note with great regret from publications yesterday and today that you have decided not to buy the Tennessee lands for which the Gen-

eral Assembly at its late session made appropriations. I am so deeply convinced of the prudence of these purchases that I venture to trespass upon your attention for the purpose of urging you to reconsider the matter, and to bring to your observation some of the reasons which, in the judgment of the General Assembly, were controlling.

The old freight terminal yards in Chattanooga are inadequate in extent for modern purposes and can not be enlarged. They are used by the lessee merely for storing old cars. They are immensely valuable real estate and are at present an eyesore to the city and a constant cause of irritation against Georgia. Unless we provide adequate terminals before the lease expires we can hardly hope to dispose of the road except by a new lease to the present lessee without substantial competition. A committee of the House drew attention to these matters early in August in a written report and expressed the opinion that the present yards could be made to yield a very large rental, possibly more than the present rental of the entire road. In view of these matters it was urged that we should begin at once to acquire extensive switch yards outside of the city and gradually enlarge our terminal facilities. Such a policy is pursued by most of the large successful railroads in large cities and is usually deemed a wise business policy.

The previous Assembly had directed that options be obtained for such lands. They had been obtained

by your predecessor in compliance therewith and were inspected and approved by the Committees of the House and Senate on the Western & Atlantic Road, and the General Assembly considered it a wise purchase and appropriated the necessary funds.

The suggestion now made that a special appropriation of this sort can not be honored until the school appropriation is paid seems to me to be so much at variance with the precedents as to warrant reconsideration. The General Assembly has made such appropriations every year in the past, and they have always heretofore been paid under the same circumstances that now exist. If the present appropriation can not be paid till the school fund is actually disbursed, the former precedents were at fault and it raises this interesting question: Suppose the General Assembly next Summer appropriates money to buy land for an annex to the capitol and before the school funds are paid out, will the case differ? Or if it directs the building of a tuberculosis hospital at the Sanitarium, who would that be? It has never heretofore been a question.

But I think the argument reaches deeper. It is a mistake to say that the funds in the treasury are the school funds. The school fund has not yet been collected. The same legislature of 1907 which appropriated \$2,250,000 to the common schools for 1909, also passed the Act for raising the taxes for 1909 out of which to pay that appropriation. That tax does not begin to come in until October and the

net *ad valorem* revenues will be more than \$3,500,000, now in sight. So it does not seem clear how this appropriation will come out of moneys charged with any legal or moral lien or affected by any contract rights touching the schools.

The school appropriation for 1908 has all been paid except a small amount not yet called for. That for 1909 has been partly paid. You say in your letter to the Attorney-General that nearly two millions of it are unpaid. I think you will find the exact amount \$1,800,000. That is to say, we have already, before the taxes for 1909 come in, paid nearly half a million dollars on the school fund of this year, or more than the amount of the special funds appropriated to that purpose, although collection of these special funds for a third of a year are yet to come in. The whole of the polltax is yet to be collected. It seems to me therefore that the question should be re-examined in the light of these facts. It hardly seems possible that the funds now in the treasury are funds appropriated by the Act of 1907 to the schools. Indeed it is manifestly impossible.

The money now in the treasury arose chiefly from the tax imposed by the Act of September 5, 1908, on imitations of beer. It was by an Act of the late Assembly made generally available for disbursements, and almost immediately thereafter this \$69,000 was appropriated to buy the Tennessee lands. I respectfully submit that it is a reasonable intendment that it was to come from that fund. Indeed,

I had the honor to present the subject to the House in behalf of the Western & Atlantic Committee, and I was freely interrogated as to the sources for payment. The general appropriation act had just passed and was supposed to absorb the bulk of the revenues, and I was asked about this matter on the floor. In reply I called the attention of the House to the fact that the appropriation Act dealt with the revenues and expenditures for 1910 and 1911 only; that the special fund of \$235,000 then in the treasury had never been specifically appropriated except to prison uses, that we had, only a few days before, made it generally available, and that it afforded a providential opportunity out of which the State could take this necessary step. The House was satisfied and voted almost unanimously to make the purchase. If I remember rightly there were only seven votes recorded against it in the House, and the Senate I believe was equally of one mind.

I may be very much mistaken in these views but they seem to me so conclusive and so clear that I **can not** refrain from urging a reconsideration of the whole matter. I tax your attention with the subject the more willingly because I note from your letter to the Attorney-General that you also are anxious for the instruction of the General Assembly to be carried out. I am sure that body will be greatly disappointed if the purchase is not made, and I earnestly hope, if it is not too late to do so, that you may find it consistent with your views of the law to purchase the lands. If I can be of any service in



the matter by giving you any information I have, or by more fully presenting my views, in person, or in fact in any other way, I hope you will command me.

Trusting that I have not presumed too far or elaborated my ideas to an undue length, I remain,

Yours respectfully,

HOOPER ALEXANDER.

Copy.

STATE OF GEORGIA,

EXECUTIVE DEPARTMENT,

ATLANTA.

September 8th, 1909.

HON. HOOPER ALEXANDER,

Atlanta, Ga.

DEAR SIR: I am in receipt of your letter of the 3d inst. relative to the resolution of the General Assembly at its late session directing that I shall purchase lands near Chattanooga for terminal purposes.

I have very carefully read your letter and note that you are deeply impressed that this purchase is

wise and that you think I should reconsider my action in declining to draw on the funds now in the treasury to pay for this land. I note in your letter you repeatedly say that the legislature "appropriated" the necessary funds with which to purchase this land, etc. It is true that the Legislature in the resolution referred to uses time and again the language "that the sum of ----- dollars be and the same is hereby appropriated" for that purpose and so far as the language of the appropriation is concerned it is doubtless sufficient to authorize me to draw on the Treasury, but the fact remains that there was no money in the Treasury which had not already been appropriated by the former Legislature. The authority to use the money is unquestionably sufficient, but manifestly it could not be used unless it was there.

I beg to add in conclusion I would be very glad to purchase the property, but I can not purchase it without the money. The Legislature has simply directed me to do the impossible. With kind regards, I beg to remain,

Yours very truly,

(Signed) JOSEPH M. BROWN, Governor.

Copy.

ATLANTA, GA., Sept. 10, 1909.

HON. JOSEPH M. BROWN, *Governor*,

Atlanta, Ga.

DEAR SIR: Yours of the 8th instant has just been received.

I expressed my views fully in my letter of the 3d, and should not now attempt to add thereto, except for the fact that upon reading your letter, now before me, it seems that I must have failed to express myself clearly, as you do not therein refer to what I suggested in my former communication.

In your letter to the Attorney-General, dated September 2d, as published in the newspapers, you state that there was still in the treasury at that time, \$160,000 and that the school appropriation for 1909 is not paid up in full, and you thereupon inquire whether you are authorized to draw your warrant for the \$69,000 appropriated by the Legislature of 1909 to buy the Tennessee lands.

In his answer on the same day the Attorney-General evidently assumes that the money in the treasury has been previously set apart to the schools and that it would be a violation of the State's contract with the teachers to pay it out for any other purpose.

Now, without undertaking to make any issue as to the correctness of this view of the law, (although in fact I am not prepared to accept it,) I wrote to call your attention to this, that you are mistaken as to the facts, upon which the legal conclusion was based.

The Attorney-General cites you to the special tax levy in the Acts of 1907, page 25, in support of the proposition that the money in the treasury was raised specifically for the schools. Reference to that act demonstrates the contrary. It provided for a levy of 3.08 mills for 1908 for educational purposes for that year, and 3.08 mills for 1909 for educational purposes in this year. The tax of 1908 was collected and the school appropriated of that year was paid, except a small sum not yet called for. Therefore the money in the treasury could not be the school fund for 1908 as levied under the act cited. It is even clearer that it could not be the school fund levied by that Act for 1909, because not a cent of that money has been collected except a part of the special school funds, and we have more than paid them out. My former letter was intended to bring this view of the matter to your attention, but as your reply does not refer to these views I am afraid that I failed to make them clear.

But it was also my purpose to go further and show where these funds did come from. The Act of September 5th, 1908, provided for certain license

taxes on imitations of beer and directed that that money should not be used for anything except:

“In the development and conduct of the penitentiary system of the State, and to buy such farms, lands, road equipment or other properties as may be needed in connection therewith, etc.”

These funds were not needed or expended for the prison uses and had amounted to \$235,000, accumulated in the treasury, when the recent legislature, late in the session, removed the restriction on their use and made them generally subject to disbursement, and almost immediately thereafter made the appropriation under discussion,—the license money being then in the treasury.

It was my effort in my former letter to call your attention to the fact that every single appropriation made in 1907 or 1908 was made, demonstrably payable out of other funds than these, and demonstrably not payable out of these funds; that these funds were not even dreamed of until after every other appropriation had been made that remained unpaid when the legislature of 1909 decided to use these prison funds, and that this was practically the only special appropriation chargeable against this fund. In further support of this view I gave out the extrinsic fact that the discussion in the House fortifies what the record intrinsically shows, to-wit: That these funds were the funds out of which it was intended by the members that those lands should be bought.

I repeat these views now, because from reading your letter of the 8th it would seem that I must have failed to express myself clearly. I want to add at this time that aside from the peculiar charge of this appropriation on this particular fund, and, even if these facts did not thus definitely put this fund at your disposal for this purpose, the unbroken history of the State would authorize you to use any funds for this purpose except the sinking fund and the proceeds of the sale of public property.

Thus in 1907 many special appropriations were made and honored although the treasury was in the same condition as in 1909, except that it had no such special fund as it had in 1909. Notably I mention \$42,000 to pensions and \$42,000 more to buy equipment for the militia. Like special appropriations were made in 1906 and 1908, and indeed have always been made, and as a matter of course and always paid as a matter of course.

In view of these facts I earnestly hope that you may yet see your way clear to the purchase of these lands that are so necessary for the protection and preservation of the State's property. If there are no other funds available, there is special authority given you to borrow money in an emergency.

Yours truly,

HOOPER ALEXANDER.

Mr. Stubbs, of Thomas, Chairman of the Committee on Enrollment submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment has examined and found properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit:

Nos. 356, 672, 699, 729, 733, 746, 769, 784, 789, 808, 821, 830, 843, 947, 849, 859, 869, 871, 892, 895, 908, 923, 806, 897, 529, 748, 750, 758, 785, 813, 851, 854, 857, 864, 868, 874, 880, 882, 890, 910, 913, 916, 934, 936, 944, 953, 981, 982.

Respectfully submitted,

J. B. STUBBS, Chairman.

The following minority reports on House Bill No. 1027, was submitted and read.

*Mr. Speaker:*

Being convinced by the showing made before the Special Judiciary Committee, that the City Court of Cordele should not be abolished, the undersigned members of said Committee hereby dissent from the majority report which is favorable to the passage of

House Bill 1027, by Mr. Fields, of Crisp, which provides for abolishing the City Court of Cordele.

H. J. FULLBRIGHT,

C. H. PORTER,

MILLARD REID,

M. C. TARVER.

Messrs. Hall, of Bibb and Sheppard, of Sumter, of the General Judiciary Committee submitted the following minority report on House Bill No. 741, which provided for the adoption of the Code of Laws compiled by Jno. L. Hopkins.

*Mr. Speaker:*

We respectfully dissent from the majority of the General Judiciary Committee on House Bill No. 741.

JOS. H. HALL, Chairman

J. L. SHEPPARD.

Upon the recommendation of the Committee on Special Judiciary Senate Bill 213, was recommitted to the Committee on Hygiene and Sanitation.

The following bills were read the third time and put upon their passage, to-wit:



By Mr. Fields, of Crisp—

A bill to repeal an Act to create the City Court of Cordele.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110 nays 19.

The bill having received the requisite Constitutional majority was passed and on motion of Mr. Fields was ordered immediately transmitted to the Senate.

By Mr. Fields, of Crisp—

A bill to provide for holding four terms of the Superior Court of Crisp county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 112; nays 2.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hardeman, of Jefferson—

A bill to amend an Act amendatory of an Act to more thoroughly carry into effect the provisions of an Act to prevent the adulteration of food for man and beast and etc.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Alexander of Fulton | Ellison             | Littleton           |
| Anderson of Bullock | Evans               | Lovejoy             |
| Anderson of Chatham | Fender              | Martin              |
| Armistead           | Field of DeKalb     | Meadows of Telfair  |
| Ault                | Fullbright          | Miller of Ware      |
| Barksdale           | Garlington          | Milikin             |
| Bailey              | Guaddick            | Minter              |
| Baker               | Griffin of Sumter   | Mitchell            |
| Barrett             | Hall                | Moore               |
| Bell                | Hardman of Jackson  | MacFarland          |
| Berry               | Harvey              | MacIntyre           |
| Booker              | Henderson of Irwin  | McCarthy            |
| Brown of Carroll    | Hill                | McCrory             |
| Brown of Fulton     | Holtzelaw           | McCurry             |
| Burch               | Howell              | McCutchen           |
| Buxton              | Hullender           | McElreath           |
| Cannon              | Huie                | McMichael of Marion |
| Carswell            | Johnson of Towns    | Oliver              |
| Chandler            | Jones of Meriwether | Parker of Talbot    |
| Childs              | Jones of Mitchell   | Paulk               |
| Cordell             | Kendrick            | Peacock             |
| Couch               | Kennedy             | Persons             |
| Cureton             | Lawrence            | Pickett             |
| Ellis               | Lewis               | Pierce              |

|                  |                  |                  |
|------------------|------------------|------------------|
| Pope             | Slade            | Upshaw           |
| Porter           | Smith of Gilmer  | Vinson           |
| Proctor          | Smith of Walton  | Waddell          |
| Redding          | Stovall ,        | White of Screven |
| Reese            | Strong           | Williams         |
| Reid of Campbell | Stubbs of Putnam | Wohlwender       |
| Rentz            | Stubbs of Thomas | Wood             |
| Roberts          | Tarver           | Woodliff         |
| Rogers           | Tuggle           | Wright of Floyd  |
| Rosser           | Turner           |                  |
| Sheppard         | Turnipseed       |                  |

Those voting in the negative were Messrs:

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Adams              | Fields of Crisp     | Kidd              |
| Allen              | Ford                | Kirby             |
| Alley              | Gastley             | Lord              |
| Brinson of Decatur | Godley              | McConnell         |
| Brinson of Emanuel | Guyton              | McMahan           |
| Brown of Henry     | Harrington          | McWhorter         |
| Calbeck            | Hatfield            | Parker of Decatur |
| Carter             | Heard               | Price             |
| Cooke              | Helms               | Reaves            |
| Cowan              | Henderson of Turner | Reid of Macon     |
| Culberson          | Hendricks           | Shirley           |
| Daniel             | Holder of Floyd     | <b>Simpson</b>    |
| Drawdy             | Hubbard             | Tracey            |
| Edmondson          | Johnson of Bartow   | Walters           |
| Edwards            | Joiner              | Watkins           |
| Elder              | Jones of Laurens    | Whiteley          |
| English            | Keith               | Wight of Grady    |

Those not voting were Messrs.:

|                     |                   |                       |
|---------------------|-------------------|-----------------------|
| Alexander of DeKalb | Butt              | Hardeman of Jeffs'n   |
| Atherton            | Converse          | Johnson of Jeff Davis |
| Atkinson            | Davis             | Kelley                |
| Bagley              | Dickson           | Kicklighter           |
| Beacham             | Faircloth         | Meadows of Toombs     |
| Boyd                | Gillis            | Middlebrooks          |
| Brown of Murray     | Griffin of Twiggs | Miller of Calhoun     |

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Moss               | Simmons           | Warden            |
| McArthur           | Smith of Tattnall | Wright of Stewart |
| McMichael of Butts | Tippins           | Mr. Speaker       |

The roll call was verified and on counting the votes it was found that the ayes were 103; nays 51.

The bill having received the requisite Constitutional majority was passed.

The next order of business is the following bill, which came up as unfinished business and the same was taken up for further consideration, to-wit:

By Messrs. Brown, of Carroll, Lawrence, of Chatham, Jones, of Meriwether—

A bill to adopt and make of force the Code of Laws prepared by Jno. L. Hopkins and for other purposes.

The Speaker again resolved the house into the Committee of the whole and Mr. Anderson, of Chatham again took the Chair.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended.

Mr. Reid, of Campbell called for the previous question on the bill and pending amendments which call was sustained and the main question ordered.

The following amendment offered by the Committee was adopted:

To amend Section 7 of the bill by adding at the end of said Section the following words: "Except those laws passed during the session of the General Assembly of 1910."

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |            |                     |
|---------------------|------------|---------------------|
| Alexander of DeKalb | Buxton     | Gillis              |
| Alexander of Fulton | Calbeck    | Godley              |
| Alley               | Cannon     | Griffin of Sumter   |
| Anderson of Bullock | Carswell   | Harrington          |
| Anderson of Chatham | Carter     | Hatfield            |
| Armistead           | Chandler   | Helms               |
| Atherton            | Childs     | Henderson of Irwin  |
| Atkinson            | Cooke      | Henderson of Turner |
| Ault                | Cordell    | Hendricks           |
| Barksdale           | Couch      | Holtzelaw           |
| Bailey              | Cowan      | Howell              |
| Baker               | Culberson  | Hullender           |
| Barrett             | Cureton    | Huie                |
| Bell                | Daniel     | Johnson of Bartow   |
| Booker              | Drawdy     | Johnson of Towns    |
| Brinson of Decatur  | Edmondson  | Joiner              |
| Brinson of Emanuel  | Edwards    | Jones of Laurens    |
| Brown of Carroll    | Ellis      | Jones of Meriwether |
| Brown of Fulton     | English    | Jones of Mitchell   |
| Brown of Henry      | Fairecloth | Keith               |
| Burch               | Fullbright | Kendrick            |
| Butt                | Gastley    | Kennedy             |

|                   |                   |                  |
|-------------------|-------------------|------------------|
| Kirby             | McElreath         | Simpson          |
| Lawrence          | McMahan           | Slade            |
| Littleton         | McWhorter         | Smith of Walton  |
| Lord              | Parker of Decatur | Stubbs of Putnam |
| Lovejoy           | Parker of Talbot  | Stubbs of Thomas |
| Martin            | Paulk             | Tarver           |
| Meadows of Toombs | Peacock           | Tippins          |
| Miller of Calhoun | Persons           | Tuggle           |
| Miller of Ware    | Pierce            | Upshaw           |
| Milikin           | Pope              | Vinson           |
| Minter            | Porter            | Walters          |
| Mitchell          | Proctor           | Watkins          |
| Moore             | Reaves            | Whiteley         |
| Moss              | Redding           | Wight of Grady   |
| MacFarland        | Reese             | Williams         |
| MacIntyre         | Reid of Campbell  | Wohlwender       |
| McCarthy          | Roberts           | Woodliff         |
| McCrary           | Rosser            | Wright of Floyd  |
| McCurry           | Shirley           |                  |
| McCutchen         | Simmons           |                  |

Those voting in the negative were Messrs.:

|                 |                     |            |
|-----------------|---------------------|------------|
| Berry           | Hardman of Jackson  | Pickett    |
| Elder           | Heard               | Price      |
| Field of DeKalb | Hill                | Rogers     |
| Ford            | Holder of Floyd     | Sheppard   |
| Garlington      | Kidd                | Stovall    |
| Graddick        | Lewis               | Strong     |
| Guyton          | McConnell           | Turnipseed |
| Hall            | McMichael of Marion | Wood       |

Those not voting were Messrs.:

|                 |                   |                       |
|-----------------|-------------------|-----------------------|
| Adams           | Davis             | Hardeman of Jeffs'n   |
| Allen           | Dickson           | Harvey                |
| Bagley          | Ellison           | Hubbard               |
| Beacham         | Evans             | Johnson of Jeff Davis |
| Boyd            | Fender            | Kelley                |
| Brown of Murray | Fields of Crisp   | Kicklighter           |
| Converse        | Griffin of Twiggs | Meadows of Telfair    |

|                    |                   |                   |
|--------------------|-------------------|-------------------|
| Middlebrooks       | Rentz             | Waddell           |
| McArthur           | Smith of Gilmer   | Wasden            |
| McMichael of Butts | Smith of Tattnall | White of Screven  |
| Oliver             | Tracey            | Wright of Stewart |
| Reid of Macon      | Turner            | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 124; nays 24.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Sheppard, of Sumter—

A bill to increase the efficiency of the inspection of fertilizers and feed stuffs by authorizing the employment of assistants in the office of the State Chemist and increase the laboratory facilities and for other purposes.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman, Mr. Barrett, of Stephens.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass, as amended.

The committee proposed to amend by striking the words "of the funds arising from the sale of fertilizer tags" and insert the following; "out of any funds not otherwise appropriated and the Governor is authorized and directed to issue his warrant on the Treasurer therefor."

The amendment was adopted.

A motion to adjourn was put and carried and the bill was carried over as unfinished business.

The Speaker then announced the House adjourned until 2:30 o'clock this afternoon.

2:30 o'clock P. M.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

Mr. Johnson, of Bartow, Chairman of Committee on General Agriculture submitted the following report, to-wit:

*Mr. Speaker:*

Your Committee on General Agriculture have had under consideration the following House Bill 428, a bill to provide for the Office of State Veterinarian



and etc. and for other purposes, and instruct me as their Chairman to report same back with recommendation that it do not pass. Also House Bill 487, to provide for handling of Fertilizer and for other purposes do not pass. Also House Bill 1022. A bill to regulate the width of tires on wagons, carts and etc. and for other purposes do not pass. Also Senate Bill 88. A bill to protect live stock from contagious diseases and for other purposes do not pass.

Respectfully submitted,

JOHNSON, of Bartow, Chairman

Mr. Butt, Chairman of the Committee on Corporations submitted the following report:

*Mr Speaker:*

Your Corporation Committee has had under consideration the following House Bills and instruct me as their Chairman to report same back to the House with the following recommendations:

House Bill 1087, to amend the charter of the town of Oxford. Do not pass.

House Bill 1086, to create a new charter for the town of Dexter Do pass.

BUTT, Chairman.

Mr. Heard, Chairman of the Committee on Banks and Banking submitted the following report:

*Mr. Speaker:*

Your Committee have had under consideration House Bill No. 1089 and have instructed me, as their Chairman to report bill back to the House with the recommendation that it do pass.

HEARD, Chairman.

The following bills were read the second time, to-wit:

By Mr. Burch, of Laurens—

A bill to create a new charter for the town of Dexter.

By Mr. Meadows, of Telfair—

A bill to amend an Act to incorporate the town of Milan.

By Mr. Gastley, of Habersham—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Habersham.

By Mr. Calbeck, of Gordon—

A bill to amend the charter of the town of Calhoun.

By Mr. Rosser, of Walker—

A bill to amend Section 982, Volume 1, of the Code so as to make Ringgold a State Depository.

By Mr. Barrett, of Stephens—

A bill to appropriate \$50.00 to pay for water furnished the House of Representatives.

The above bill was recommended to Committee on Appropriations.

The following bills were read the first time, to-wit:

By Mr. Godley, of Camden—

A bill to amend the charter of the town of St. Mary's.

Referred to Committee on Corporations.

By Mr. Pope, of Brooks—

A bill to create the City Court of Quitman.

Referred to Committee on Special Judiciary.

By Mr. Pope, of Brooks—

A bill to repeal an Act to create the City Court of Quitman.

Referred to Committee on Special Judiciary.

By Mr. Ault, of Polk—

A resolution providing for a joint Commission to look into the necessity of terminals at Chattanooga for the W. & A. Railroad.

Lie on table 1 day

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Reese, of Glynn—

A bill to repeal an Act to prevent hogs from running at large on St. Simons Island.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Paulk, of Berrien—

A bill to amend the charter of the city of Nashville.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McMahan, of Clarke—

A bill to require County Commissioners of certain counties to pay the officers of Court legal costs for convicts sent to County Chaingang.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Pope, of Brooks—

A bill to repeal an Act to amend the charter of Barwick.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; naye 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Jones and Keith, of Meriwether—

A bill to incorporate the town of Durand.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Rentz and Holtzclaw, of Houston—

A bill to amend an Act to create a Board of Roads and Revenues for Houston county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays 0.

The bill having received the requisite Constitutional majority was passed.

The following report of the Committee appointed to inspect convict camps was read.

*To the General Assembly:*

In accordance with a resolution adopted at the 1909 session of the General Assembly, during October, November and December, 1909, sub-committees composed of members of the House and Senate Committees on Penitentiary visited and inspected the convict camps of the State. More than 100 counties were using the convicts. For convenience the State was divided into seventeen districts, a sub-committee composed of one Senator and three to four members of the House being appointed to visit and inspect the camps in each sub-division of counties.

The reports submitted to a joint meeting of the House and Senate Committees indicate the thoroughness of the inspections. In nearly every instance each camp was specially reported upon in detail. These reports we are filing so that reference to them may be had by any one desiring to acquaint himself with the details thereof.

The lease system terminated April 1st, 1909, and all convicts, felony and misdemeanor, except women, children and men not able to do hard labor, were placed upon the public roads of the various counties.

Approximately 4,500 men are now building public highways in Georgia.

The change from the lease system to that now in operation was so radical that one not acquainted with the conditions could, to a very slight degree, only, conceive of the varied and serious difficulties encountered by the Prison Commission and the county authorities.

The new law was radical and required a complete change from former methods. The Act of 1908 contemplated humanitarianism as the basis of the management of the State's convicts in the infliction of punishment, and that the State, through its employees paid by the State, and the State only, should exercise authority over the convict.

In accordance with the law of 1908 the Prison Commission formulated rules and regulations for the government and control of the convicts, and those having charge of them.

To a degree which is remarkable the law, in letter as well as spirit, and the rules and regulations of the Commission, are being enforced. Some of the provisions of the law are not perfectly clear, and possibly do not speak the legislative intent at the time the law was passed. This arises, no doubt, from the fact that the bill, when enacted was in some particulars hastily amended. The practical enforce-



ment of the new system indicates that some changes would enure to the successful operation of the law.

There have been some abuses. The camps and the management of the same in some of the counties showed a higher degree of conformity with the law than in others.

In one county the convicts were, to a large extent, making rice for the market; in another, guards were, in violation of law, paid \$60.00 per month; in several proper weekly records, as required by law, were not kept and weekly reports were not made to the Prison Commission; in another, tuberculosis patients were found confined with healthy convicts; in several, the quarters, as to size, quipment and cleanliness were not up to the requirements of the Prison Commission; some were not feeding as required by the rules. In more than one county the sick were quartered in the county jail; one or more guards under the age of 21 were found; in one county on last Thanksgiving day the convicts were required to spend the day moving the camp instead of being permitted to rest.

It will be remembered that our visits of inspection were made only six or seven months after the convicts were placed upon the roads. The Commission had three inspectors to visit and report upon about 150 camps. The convicts in many instances were in the hands of persons who were entirely inexperienced in the handling of convicts. Therefore it is not suprising that these irregularities were found.

We called the attention of the Prison Commission to every violation of the law discovered by us, and are assured that remedial measures have been taken. The Commission now has employed a large number of inspectors. In our opinion the number ought to be sufficiently large to enable the inspector to spend one entire day at each camp during each month.

No woman ought to be left in any county convict camp. The danger is too great. They should be sent to the State farm without any exception.

It is deplored that in many camps little attention is given to religious worship.

It ought to be a source of great satisfaction to every citizen of the State that the convicts are no longer considered an object of merchandise, beasts of burden, but on the contrary, are treated as human beings, as men and women who have souls. They labor in the open air, eat and sleep; their habits are regular; they are, to a remarkable degree, healthy, strong, able-bodied men and women and the death rate is less than half that of the population of the State taken as a whole.

In our opinion the convict Act contemplated the complete separation of the races. For lack of proper facilities the Prison Commission has not as yet been able to accomplish this end; but in no case, so far as we could learn, did they eat at the same table or sleep in the same room.

The law provides that the State shall employ and pay the wardens and guards. In theory this is done; but not in fact. Indeed it is practically impossible to comply with this requirement; but it ought to be done. The beneficiary of the labor of the convict ought not in the remotest manner to control or manage the convict. The State furnishes the labor of the convict to the county to build and improve the Public Highway, but it was not the intention of the law that the State should delegate any of its authority over the convict to the county. The county pays the expense of maintenance. The State is the one person; the county is the other. Wardens and guards ought to be under no obligations to the county authorities, but it is not so, and cannot be so, under the present law, as construed. Formerly the convict was sold to private individuals or corporations. Now, in order that the counties may not make the mistake of feeling that the convicts are GIVEN to *them*, the strictest supervision is necessary.

In some instances the county authorities appeared to exercise a property right over the convict.

Herein lies the danger in the present system. There's the weak spot.

#### ROAD BUILDING.

The magnitude of the work being done in Georgia by the convicts at the present time, and the results being accomplished, are almost beyond conception.

## FOUR THOUSAND FIVE HUNDRED MEN BUILDING ROADS.

A conservative estimate places the value of road building equipment, including stock, in the State at nearly \$1,500,000. During the past year about 6,000 miles of road have been graded and made permanent. 15,000 miles have been to some extent permanently improved.

The county authorities are rapidly learning the art of road building, and the results as the years pass will be much more gratifying.

A very careful investigation of the cost of the maintenance of the convicts, including food, clothing, transportation, guard and warden hire and food for the same, stock feed, repairs, and every expense of maintenance, shows that in the several counties of the State it varies from about forty cents per day to one dollar and fifty cents per day per convict.

The average is eighty to ninety cents. The maintenance of the convicts upon the roads, exclusive of equipment is costing the several counties of the State in the aggregate in round numbers about \$1,500,000.

The convict, eating wholesome food regularly, sleeping regularly, being well cared for, healthy and strong as a rule labors cheerfully. With little or no inconvenience he accomplishes double as much in a day as a free laborer. Therefore, as compared with

free labor, the average cost of the convict to the county is forty to fifty cents per day. The free laborer must have a dollar a day or more. Thus the convict labor is costing the county less than half what free labor would cost.

AND GEORGIA IS BUILDING GOOD ROADS.

### THE STATE FARM

The State farm is little more than an infirmary. The old, crippled, diseased, deformed are there, many pitiable cases.

In the main stockade building are kept the white and colored males, the whites being quartered in one large hall and the negroes in another.

The races should be entirely separated and to accomplish that end another stockade is necessary.

F. M. GORDY,

Chairman Senate Committee on Penitentiary.

FERMOR BARRETT,

Chairman House Committee on Penitentiary.

July 1st, 1910.

The following Senate Bills were read the second time, to-wit:

By Mr. Stevens, of 30th district—

A bill to amend the charter of the town of Lexington.

By Mr. Harben, of 32nd district—

A bill to change the time of holding the Superior Court of Dawson county.

By Mr. Kemp, of 16th district—

A bill to amend an Act to create the City Court of Swainesboro.

By Mr. Gordy, of 24th district—

A bill to authorize the Commissioners of Commons of Columbus, Georgia to cede to Columbus certain lands.

By Mr. King, of 14th district—

A bill to provide for the transfer of registered maps of municipalities,

By Mr. King, of 14th district—

A bill to provide for Solicitors of City Courts.

By Mr. Harrell, of 12th district—

A bill to prohibit shooting towards or at an occupied dwelling house.

The following Senate Bills were read the third time, to-wit:

By Mr. Sellars, of 2rd district—

A bill to restrict the jurisdiction of the City Court of Baxley and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Harrell, of 12th district—

A bill to amend an Act to require the Board of Commissioners of Roads and Revenues of Stewart county to pay officers of the court costs in criminal cases.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120; nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following bill which was brought over as unfinished business was taken up for further consideration, to-wit:

By Mr. Sheppard, of Sumter—

A bill to increase the efficiency of the inspection of fertilizers and feedstuff, by authorizing the employment of additional assistants in the office of State Chemist.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                 |
|---------------------|--------------------|-----------------|
| Adams               | Bell               | Cowan           |
| Alexander of DeKalb | Brinson of Decatur | Culberson       |
| Alexander of Fulton | Brinson of Emanuel | Daniel          |
| Allen               | Brown of Carroll   | Dawdy           |
| Alley               | Brown of Fulton    | Edmondson       |
| Anderson of Bullock | Brown of Murray    | Edwards         |
| Anderson of Chatham | Burch              | Elder           |
| Armistead           | Butt               | Ellison         |
| Atherton            | Calbeck            | English         |
| Atkinson            | Chandler           | Evans           |
| Ault                | Childs             | Field of DeKalb |
| Bailey              | Cooke              | Ford            |
| Baker               | Cordell            | Fullbright      |
| Barrett             | Couch              | Garlington      |



|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Gastley             | Lord                | Rogers            |
| Gillis              | Lovejoy             | Sheppard          |
| Godley              | Martin              | Shirley           |
| Graddick            | Meadows of Toombs   | Simmons           |
| Griffin of Sumter   | Miller of Calhoun   | Simpson           |
| Guyton              | Miller of Ware      | Slade             |
| Hall                | Milikin             | Smith of Gilmer   |
| Hardman of Jackson  | Minter              | Smith of Tattnall |
| Harrington          | Moore               | Smith of Walton   |
| Harvey              | Moss                | Stovall           |
| Hatfield            | MacFarland          | Strong            |
| Heard               | MacIntyre           | Stubbs of Putnam  |
| Henderson of Irwin  | McCarthy            | Tarver            |
| Henderson of Turner | McConnell           | Tippins           |
| Hill                | McCutchen           | Tracey            |
| Holtzclaw           | McElreath           | Tuggle            |
| Howell              | McMahan             | Turner            |
| Hubbard             | McMichael of Butts  | Turnipseed        |
| Iluie               | McMichael of Marion | Vinson            |
| Johnson of Bartow   | McWhorter           | Waddell           |
| Johnson of Towns    | Parker of Decatur   | Walters           |
| Joiner              | Paulk               | Watkins           |
| Jones of Laurens    | Persons             | Whiteley          |
| Jones of Mitchell   | Pope                | Wight of Grady    |
| Kelley              | Porter              | Williams          |
| Kendrick            | Proctor             | Wohlwender        |
| Kennedy             | Reese               | Wood              |
| Kidd                | Reid of Campbell    | Wright of Floyd   |
| Kirby               | Reid of Macon       |                   |
| Lewis               | Roberts             |                   |

Those not voting were Messrs.:

|                |            |                       |
|----------------|------------|-----------------------|
| Barksdale      | Carswell   | Fields of Crisp       |
| Bagley         | Carter     | Griffin of Twiggs     |
| Beacham        | Converse   | Hardeman of Jeffs'n   |
| Berry          | Cureton    | Helms                 |
| Booker         | Davis      | Hendricks             |
| Boyd           | Dickson    | Holder of Floyd       |
| Brown of Henry | Ellis      | Hullender             |
| Buxton         | Fairecloth | Johnson of Jeff Davis |
| Cannon         | Fender     | Jones of Meriwether   |

|                    |                  |                   |
|--------------------|------------------|-------------------|
| Keith              | Oliver           | Stubbs of Thomas  |
| Kicklighter        | Parker of Talbot | Upshaw            |
| Lawrence           | Peacock          | Wasden            |
| Littleton          | Pickett          | White of Screven  |
| Meadows of Telfair | Pierce           | Woodliff          |
| Middlebrooks       | Price            | Wright of Stewart |
| Mitchell           | Reaves           | Mr. Speaker       |
| McArthur           | Redding          |                   |
| McCrory            | Rentz            |                   |
| McCurry            | Rosser           |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 130; nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

The following Senate Bills were read the first time, to-wit:

By Mr. McWilliams, of 34th district—

A bill to require the several Boards of Health to enforce the standard transit permits.

Referred to Committee on Hygiene and Sanitation.

By Mr. Slaton, of 35th district—

A bill to provide for dissolution of corporations.

Referred to Committee on Corporations.

By Mr. Slaton, of 35th district—

A bill to provide for liability for torts of wife.

Referred to Committee on General Judiciary

By Mr. Callaway, of 10th district—

A bill to provide for fishways over dams.

Referred to Committee on Fish and Game.

By Mr. Sellers, of 3rd district—

A bill to make it unlawful for any person or corporation to publish name of woman upon whom rape has been committed.

Referred to Committee on General Judiciary

By Mr. Kemp, of 16th district—

A bill to provide a two weeks session of the Superior Court of Emanuel county.

Referred to Committee on Special Judiciary.

By Mr. Harrell, of 12th district—

A bill to make the wife competent to testify in cases of seduction.

Referred to Committee on General Judiciary

By Messrs. McWilliams, of 34th district, Price, of 27th district—

A bill to amend an Act to create the State Board of Embalmers.

Referred to Committee on Hygiene and Sanitation.

By Mr. Mathews, of 23rd district—

A bill to authorize the State Board of Entomology to employ assistants.

Referred to Committee on Appropriations.

The following bills were taken up and the Senate amendments concurred in, to-wit:

By Messrs. Field and Alexander, of DeKalb—

A bill to re-incorporate the town of Kirkwood.

By Mr. Atkinson, of Morgan—

A bill to amend the new charter for the city of Madison.

By Mr. Barrett, of Stephens—

A bill to amend the charter of the town of Avalon.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Hall, of Bibb—

A resolution providing for the sale of the Governor's Mansion.

On motion of Mr. Hall the above resolution was tabled.

On motion of Mr. Anderson, of Chatham, House Bill No. 435 was tabled.

By Mr. White, of Screven—

A bill to provide for the appointment of an assistant to the Pension Commissioner.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 45; nays 51.

The bill having failed to receive the requisite Constitutional majority was lost.

By Mr. Keith, of Meriwether—

A resolution to pay Auditor and Stenographer appointed by the Committee on Public Property to

investigate the charges of graft in the office of Keeper of Public Buildings and Grounds.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman Mr. Chandler, of Franklin.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                  |                    |
|---------------------|------------------|--------------------|
| Adams               | Brown of Carroll | Ellison            |
| Alexander of DeKalb | Brown of Fulton  | English            |
| Alexander of Fulton | Brown of Murray  | Evans              |
| Allen               | Burch            | Fairecloth         |
| Anderson of Bullock | Butt             | Field of DeKalb    |
| Anderson of Chatham | Calbeck          | Fields of Crisp    |
| Armistead           | Chandler         | Ford               |
| Atherton            | Childs           | Fullbright         |
| Atkinson            | Cooke            | Gastley            |
| Ault                | Cordell          | Gillis             |
| Barksdale           | Couch            | Godley             |
| Baker               | Cowan            | Graddick           |
| Barrett             | Culberson        | Giffin of Sumter   |
| Bell                | Cureton          | Guyton             |
| Booker              | Daniel           | Hall               |
| Boyd                | Drawdy           | Hardman of Jackson |
| Brinson of Decatur  | Edwards          | Harrington         |
| Brinson of Emanuel  | Elder            | Harvey             |

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Hatfield            | Mitchell            | Shirley           |
| Heard               | Moore               | Simpson           |
| Helms               | Moss                | Slade             |
| Henderson of Irwin  | MacIntyre           | Smith of Gilmer   |
| Henderson of Turner | McCarthy            | Smith of Tattnall |
| Hill                | McConnell           | Stovall           |
| Holtzelaw           | McCurry             | Strong            |
| Hubbard             | McCutchen           | Stubbs of Putnam  |
| Hullender           | McElreath           | Tarver            |
| Huie                | McMahan             | Tippins           |
| Joiner              | McMichael of Butts  | Tracey            |
| Jones of Laurens    | McMichael of Marion | Tuggle            |
| Jones of Meriwether | McWhorter           | Turnipseed        |
| Jones of Mitchell   | Parker of Decatur   | Upshaw            |
| Kendrick            | Paulk               | Vinson            |
| Kidd                | Poppe               | Walters           |
| Kirby               | Porter              | Watkins           |
| Littleton           | Proctor             | White of Screven  |
| Lord                | Reese               | Whiteley          |
| Lovejoy             | Reid of Campbell    | Wight of Grady    |
| Martin              | Reid of Macon       | William           |
| Meadows of Toombs   | Rogers              | Wood              |
| Miller of Ware      | Rosser              | Wright of Floyd   |
| Milikin             | Sheppard            |                   |

Those not voting were Messrs.:

|                |                       |                    |
|----------------|-----------------------|--------------------|
| Alley          | Fender                | Lewis              |
| Bagley         | Garlington            | Meadows of Telfair |
| Bailey         | Griffin of Twiggs     | Middlebrooks       |
| Beacham        | Hardeman of Jeffs'n   | Miller of Calhoun  |
| Berry          | Hendricks             | Minter             |
| Brown of Henry | Helder of Floyd       | MacFarland         |
| Buxton         | Howell                | McArthur           |
| Cannon         | Johnson of Bartow     | McCrory            |
| Carswell       | Johnson of Jeff Davis | Olive              |
| Carter         | Johnson of Towns      | Parker of Talbot   |
| Converso       | Keith                 | Peacock            |
| Davis          | Kelley                | Persons            |
| Dickson        | Kennedy               | Pickett            |
| Edmondson      | Kicklighter           | Pierce             |
| Ellis          | Lawrence              |                    |

|         |                  |                   |
|---------|------------------|-------------------|
| Price   | Simmons          | Wasden            |
| Reaves  | Smith of Walton  | Wohlwender        |
| Redding | Stubbs of Thomas | Woodliff          |
| Rentz   | Turner           | Wright of Stewart |
| Roberts | Waddell          | Mr. Speaker       |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 125; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Jones, of Meriwether—

A resolution to make appropriation to meet deficiency in the printing fund and to make same immediately available.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman Mr. Baker, of Lumpkin.

After a consideration of the resolution the Committee arose and through their Chairman reported the same back with the recommendation that it do pass.

The report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:



Those voting in the affirmative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Alexander of DeKalb | Cillis              | McMichael of Butts  |
| Alexander of Fulton | Graddick            | McMichael of Marion |
| Allen               | Griffin of Sumter   | McWhorter           |
| Alley               | Hall                | Parker of Decatur   |
| Anderson of Chatham | Hardman of Jackson  | Parker of Talbot    |
| Armistead           | Harrington          | Paulk               |
| Atkinson            | Harvey              | Pope                |
| Ault                | Hatfield            | Porter              |
| Barksdale           | Heard               | Price               |
| Baker               | Henderson of Irwin  | Proctor             |
| Barrett             | Henderson of Turner | Reese               |
| Bell                | Hendricks           | Reid of Campbell    |
| Booker              | Holtzclaw           | Reid of Macon       |
| Boyd                | Hubbard             | Roberts             |
| Brinson of Decatur  | Hullender           | Rogers              |
| Brinson of Emanuel  | Huie                | Rosser              |
| Brown of Carroll    | Joiner              | Sheppard            |
| Brown of Fulton     | Jones of Laurens    | Shirley             |
| Burch               | Jones of Meriwether | Simmons             |
| Butt                | Kendrick            | Slade               |
| Calbeck             | Kennedy             | Smith of Gilmer     |
| Chandler            | Kidd                | Smith of Tattall    |
| Childs              | Kirby               | Stovall             |
| Cooke               | Lawrence            | Stubbs of Putnam    |
| Cordell             | Littleton           | Tarver              |
| Couch               | Lord                | Tippins             |
| Cowan               | Martin              | Tracey              |
| Culberson           | Miller of Calhoun   | Tuggle              |
| Cureton             | Miller of Ware      | Turnipseed          |
| Daniel              | Milikin             | Upshaw              |
| Drawdy              | Mitchell            | Vinson              |
| Edwards             | Moore               | Waddell             |
| Elder               | MacIntyre           | Walters             |
| English             | McCarthy            | Watkins             |
| Evans               | McConnell           | White of Screven    |
| Fairecloth          | McCrary             | Woodliff            |
| Fields of Crisp     | McCurry             | Wright of Floyd     |
| Ford                | McCutchen           | Wood                |
| Fullbright          | McElreath           | Whiteley            |
| Garlington          | McMahan             | Wight of Grady      |
| Gastley             |                     |                     |

Those not voting were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Adams               | Godley                | Moss              |
| Anderson of Bullock | Griffin of Twiggs     | MacFarland        |
| Atherton            | Guyton                | McArthur          |
| Bagley              | Hardeman of Jeffs'n   | Oliver            |
| Bailey              | Helms                 | Peacock           |
| Beacham             | Hill                  | Persons           |
| Berry               | Holder of Floyd       | Pickett           |
| Brown of Henry      | Howell                | Pierce            |
| Brown of Murray     | Johnson of Bartow     | Reaves            |
| Buxton              | Johnson of Jeff Davis | Redding           |
| Cannon              | Johnson of Towns      | Rentz             |
| Carswell            | Jones of Mitchell     | Simpson           |
| Carter              | Keith                 | Smith of Walton   |
| Converse            | Kelley                | Strong            |
| Davis               | Kicklighter           | Stubbs of Thomas  |
| Dickson             | Lewis                 | Turner            |
| Edmondson           | Lovejoy               | Wasden            |
| Ellis               | Meadows of Telfair    | Wohlwender        |
| Ellison             | Meadows of Toombs     | Wright of Stewart |
| Fender              | Middlebrooks          | Mr. Speaker       |
| Field of DeKalb     | Minter                |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 123; nays 0.

The resolution having received the requisite Constitutional majority was passed.

By Mr. Armistead, of Oglethorpe—

A resolution to erect a monument to William Harris Crawford.

On motion of Mr. Henderson, of Irwin the resolution was tabled.

By Mr. Hardman, of Jackson—

A bill to create in the State of Georgia a State Road Commission.

The substitute proposed by the Committee was adopted.

The report of the Committee which was favorable to the passage of the bill by substitute was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                 |                    |
|---------------------|-----------------|--------------------|
| Adams               | Burch           | Gillis             |
| Alexander of DeKalb | Butt            | Godley             |
| Alexander of Fulton | Calbeck         | Graddick           |
| Allen               | Childs          | Gayton             |
| Alley               | Cordell         | Hardman of Jackson |
| Anderson of Bullock | Couch           | Harrington         |
| Anderson of Chatham | Cowan           | Helms              |
| Armistead           | Culberson       | Henderson of Irwin |
| Atherton            | Drawdy          | Holtzelaw          |
| Atkinson            | Edwards         | Huie               |
| Ault                | Elder           | Joiner             |
| Barksdale           | Ellison         | Jones of Laurens   |
| Baker               | Evans           | Jones of Mitchell  |
| Barrett             | Fairecloth      | Kelley             |
| Berry               | Field of DeKalb | Kendrick           |
| Booker              | Fields of Crisp | Kennedy            |
| Brinson of Decatur  | Fullbright      | Kidd               |
| Brown of Fulton     | Gastley         | Kirby              |

|                     |                   |                  |
|---------------------|-------------------|------------------|
| Littleton           | Parker of Decatur | Stovall          |
| Lord                | Parker of Talbot  | Stubbs of Putnam |
| Lovejoy             | Paulk             | Tarver           |
| Martin              | Persons           | Tippins          |
| Meadows of Toombs   | Porter            | Tuggle           |
| Miller of Ware      | Proctor           | Turnipseed       |
| Milikin             | Reese             | Upshaw           |
| McCarthy            | Reid of Campbell  | Vinson           |
| McCutehen           | Roberts           | Waddell          |
| McElreath           | Shirley           | Watkins          |
| McMahan             | Simmons           | Wight of Grady   |
| McMichael of Butts  | Slade             | Williams         |
| McMichael of Marion | Smith of Gilmer   | Wood             |
| McWhorter           | Smith of Tattnall | Woodliff         |

Those voting in the negative were Messrs.:

|                    |                     |                 |
|--------------------|---------------------|-----------------|
| Bell               | Hatfield            | McConnell       |
| Brinson of Emanuel | Heard               | McCrory         |
| Brown of Carroll   | Henderson of Turner | Pope            |
| Chandler           | Hendricks           | Price           |
| Cooke              | Hill                | Sheppard        |
| Cureton            | Hullender           | Strong          |
| Ford               | Johnson of Bartow   | Turner          |
| Garlington         | Moore               | Whiteley        |
| Giffin of Sumter   | Moss                | Wright of Floyd |
| Hall               | MacIntyre           |                 |

Those not voting were Messrs.:

|                 |                     |                       |
|-----------------|---------------------|-----------------------|
| Bagley          | Davis               | Johnson of Jeff Davis |
| Bailey          | Dickson             | Johnson of Towns      |
| Beacham         | Edmondson           | Jones of Meriwether   |
| Boyd            | Ellis               | Keith                 |
| Brown of Henry  | English             | Kicklighter           |
| Brown of Murray | Fender              | Lawrence              |
| Buxton          | Griffin of Twiggs   | Lewis                 |
| Cannon          | Hardeman of Jeffs'n | Meadows of Telfair    |
| Carswell        | Harvey              | Middlebrooks          |
| Carter          | Holder of Floyd     | Miller of Calhoun     |
| Converse        | Howell              | Minter                |
| Daniel          | Hubbard             | Mitchell              |

|            |                  |                   |
|------------|------------------|-------------------|
| MacFarland | Redding          | Tracey            |
| McArthur   | Reid of Macon    | Walters           |
| McCurry    | Rentz            | Wasden            |
| Oliver     | Rogers           | White of Screven  |
| Peacock    | Rosser           | Wohlwender        |
| Pickett    | Simpson          | Wright of Stewart |
| Pierce     | Smith of Walton  | Mr. Speaker       |
| Reaves     | Stubbs of Thomas |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 96; nays 29.

The bill having received the requisite Constitutional majority was passed by substitute.

Mr Barrett, of Stephens gave notice that he would move to reconsider House Bill No. 199.

By Mr Adams, of Hall—

A bill to amend the General Tax Act, which provides for a tax on dogs.

Mr. McConnell, of Gwinnett moved to adjourn before the above bill could be acted on, which motion prevailed.

Leave of absence was granted—

MR. RENTZ, of Houston, sickness.

BENSON, of Decatur, sickness.

FRIDAY, AUGUST 5, 1910.

1259

REEVES, of McDuffie, business.

BROWN, of Henry, business.

SMITH, of Walker, business.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

ATLANTA, GA.

SATURDAY, AUGUST 6, 1910.

The House met pursuant to adjournment at 9 o'clock A. M. this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

|                     |           |                       |
|---------------------|-----------|-----------------------|
| Adams               | Burch     | Faireloth             |
| Alexander of DeKalb | Butt      | Fender                |
| Alexander of Fulton | Buxton    | Field of DeKalb       |
| Allen               | Calbeck   | Fields of Crisp       |
| Alley               | Cannon    | Ford                  |
| Anderson of Bullock | Carswell  | Fullbright            |
| Anderson of Chatham | Carter    | Garlington            |
| Armistead           | Chandler  | Gastley               |
| Atherton            | Childs    | Gillis                |
| Atkinson            | Converse  | Godley                |
| Ault                | Cooke     | Graddick              |
| Barksdale           | Cordell   | Griffin of Sumter     |
| Bagley              | Couch     | Griffin of Twiggs     |
| Bailey              | Cowan     | Guyton                |
| Baker               | Culberson | Hall                  |
| Barrett             | Cureton   | Hardeman of Jefferson |
| Beacham             | Daniel    | Hardman of Jackson    |
| Bell                | Davis     | Harrington            |
| Berry               | Dickson   | Harvey                |
| Booker              | Drawdy    | Hatfield              |
| Boyd                | Edmondson | Heard                 |
| Brinson of Decatur  | Edwards   | Helms                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin    |
| Brown of Carroll    | Ellis     | Henderson of Turner   |
| Brown of Fulton     | Ellison   | Hendricks             |
| Brown of Henry      | English   | Hill                  |
| Brown of Murray     | Evans     | Holder of Floyd       |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Eoltzclaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slade             |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrary             | Smith of Tattnall |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Oliver              | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipsseed       |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Pickett             | Waddell           |
| Lewis                 | Pierce              | Walters           |
| Littleton             | Pope                | Wasden            |
| Lord                  | Porter              | Watkins           |
| Lovejoy               | Price               | White of Screven  |
| Martin                | Proctor             | Whiteley          |
| Meadows of Telfair    | Reaves              | Wight of Grady    |
| Meadows of Toombs     | Redding             | Williams          |
| Middlebrooks          | Reese               | Wohlwender        |
| Miller of Calhoun     | Reid of Campbell    | Wood              |
| Miller of Ware        | Reid of Macon       | Woodliff          |
| Milikin               | Rentz               | Wright of Floyd   |
| Minter                | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |

Mr. White, of Screven gave notice that he would move to reconsider the action of the House in defeating House Bill 987

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.



The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to amend Article 7, Section 3, Paragraph 1 of the Constitution of Georgia.

A bill to establish the City Court of Ellijay.

A bill to require the authorities in charge of county affairs, having a city of 10,000 population to pay certain criminal costs.

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to create a new charter for the town of Baconton.

A bill to authorize County Commissioners of counties containing a city of not less than 54,000 nor more than 75,000 population to adopt regulations allowing taxes to be paid quarterly.

A bill to amend the charter of the city of Atlanta.

The Senate has passed, as amended, by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to prohibit pistol carrying except under certain conditions.

A bill to amend the charter of the city of Marietta.

The following Senate Bill was read the third time and put upon its passage, to-wit:

By Mr. Stevens, of 30th district—

A bill to amend the charter of the town of Lexington.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110; nays 0.

The bill having received the requisite Constitutional majority was passed.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Barrett, of Stephens—

A bill to require fire insurance companies on the

assessment plan to make deposits with the State Treasurer.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 84; nays 21.

The bill having failed to receive the requisite Constitutional majority was lost.

By Messrs. Johnson and Price, of Bartow—

A bill to require applicants for pardon or commutation of sentence to give notice by publication of all application for same.

The substitute proposed by the Committee was agreed to.

On the passage of the bill the ayes were 96; nays 2.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Pierce, of Richmond—

A bill to provide that all property which is without a lawful owner shall belong to the State

Before the above bill could be disposed of the hour for granting unanimous consents expired and the regular order of business as prescribed by the Committee on Rules was taken up.

Mr. Brown, of Fulton, Chairman of the Committee on Hygiene and Sanitation submitted the following report:

August 6, 1910.

The Committee on Hygiene and Sanitation has considered the following bills and recommend that they do pass.

Senate Bill No. 216.

Senate Bill No. 217.

Senate Bill No. 213 as amended.

House Bill No. 1075.

GEORGE BROWN, Chairman.

Mr. Fullbright, Chairman of Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and instruct me, as their Chairman, to report them as follows:

House Bill No. 1090—To repeal the City Court of Quitman. Do pass.

House Bill No. 1091—To establish the City Court of Quitman. Do pass.

House Bill No. 957—To amend Act of 1909. Do pass.

Senate Bill No. 189—To provide for two weeks session of Emanuel Superior Court. Do pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

The following bill was read the second time and recommitted, to-wit:

By Mr. Godley, of Camden—

A bill to amend the charter of St. Mary's.

House Resolution No. 295 was taken from the table and placed on the Calendar.

The following Senate bills were read the second time, to wit:

By Mr. Kemp, of 16th district —

A bill to provide for two weeks session of the Superior Court of Emanuel county

By Mr. Price, of 27th district—

A bill to amend Section 1496 of the Code of 1895.

By Mr. McWilliams, of 34th district—

A bill to require Boards of Health to enforce standard transit permits.

By Messrs. McWilliams, of 34th district; Price, of 27th district—

A bill to amend an Act to establish a State Board of Embalming.

By Mr. Slaton, of 35th district—

A bill to regulate the inspection and grading of grain and hay.

The above bill was recommitted.

The following House bill was read the third time and put upon its passage, to-wit:

By Mr. Rosser, of Walker—

A bill to amend Section 982, Volume 1 of the Code so as to add the town of Ringgold to list of State depositories.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following bills were read the second time, to-wit:

By Messrs. Brown, McElreath and Alexander, of  
Fulton

A bill to provide that no common drinking cup shall be placed in public places.

By Mr. Pope, of Brooks—

A bill to repeal an Act to create the City Court of Quitman.

By Mr. Pope, of Brooks—

A bill to establish the City Court of Quitman.

The following House bills were read the third time and put upon their passage, to-wit:

By Mr. Meadows, of Telfair—

A bill to amend an Act to incorporate the town of Milan.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Burch, of Laurens—

A bill to create a new charter for the town of Dexter.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Calbeck, of Gordon—

A bill to amend the charter of the town of Calhoun.



The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate bills were read the third time and put upon their passage, to-wit:

By Mr Kemp, of 16th district—

A bill to amend an Act to create the City Court of Swainsboro.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 27, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr Gordy, of 24th district—

A bill to authorize the Commissioners of Commons of Columbus to cede certain land to said city

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Harben, of 32d district—

A bill to change the time of holding the Superior Court of Dawson county

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following bill was taken up and the Senate amendments concurred in, to-wit:

By Mr. Moss, of Cobb—

A bill to amend an Act creating a new charter for city of Marietta.

Senate Bill No. 214 was tabled on motion of Mr Sheppard, of Sumter.

The following special order was read the third time and put upon its passage, to-wit:

By Mr. Adams, of Hall—

A bill to amend the General Tax Act, which provides for a tax on dogs.

The following amendment was adopted:

To amend by adding new Section to be known as Section 3 and numbering other Sections accordingly. “Sec. 3. Be it further enacted by the authority aforesaid, That this Act shall go into effect on Jan. 1st, 1911.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Adams               | Edwards               | Howell              |
| Allen               | Ellison               | Hubbard             |
| Anderson of Bullock | Evans                 | Hullender           |
| Atherton            | Fairecloth            | Johnson of Bartow   |
| Ault                | Field of DeKalb       | Johnson of Towns    |
| Barksdale           | Gastley               | Joiner              |
| Baker               | Graddick              | Jones of Laurens    |
| Barrett             | Guyton                | Jones of Meriwether |
| Bell                | Hall                  | Keith               |
| Berry               | Hardeman of Jefferson | Kennedy             |
| Butt                | Harrington            | Kidd                |
| Calbeck             | Harvey                | Kirby               |
| Cannon              | Hatfield              | Lawrence            |
| Cureton             | Heard                 | Lord                |
| Daniel              | Henderson of Turner   | Miller of Calhoun   |
| Drawdy              | Hill                  | Mitchell            |

|                     |                   |                  |
|---------------------|-------------------|------------------|
| Moss                | Proctor           | Turner           |
| McConnell           | Reid of Campbell  | Turnipseed       |
| McCrary             | Reid of Macon     | Upshaw           |
| McCutchen           | Roberts           | Vinson           |
| McMichael of Marion | Rosser            | Walters          |
| Parker of Decatur   | Sheppard          | Watkins          |
| Parker of Talbot    | Shirley           | White of Screven |
| Persons             | Simpson           | Whiteley         |
| Pickett             | Smith of Gilmer   | Wight of Grady   |
| Pierce              | Smith of Tattnall | Williams         |
| Pope                | Tarver            |                  |
| Price               | Tippins           |                  |

Those voting in the negative were Messrs.:

|                     |                    |                    |
|---------------------|--------------------|--------------------|
| Alexander of DeKalb | English            | Mintz              |
| Alexander of Fulton | Fields of Crisp    | Moore              |
| Alley               | Ford               | MacIntyre          |
| Anderson of Chatham | Fullbright         | McCurry            |
| Armistead           | Garlington         | McElreath          |
| Atkinson            | Gillis             | McMahan            |
| Bailey              | Godley             | McMichael of Butts |
| Booker              | Griffin of Sumter  | McWhorter          |
| Boyd                | Henderson of Irwin | Porter             |
| Briuson of Emanuel  | Hendricks          | Reese              |
| Brown of Carroll    | Holtzelaw          | Rogers             |
| Brown of Fulton     | Jones of Mitchell  | Simmons            |
| Brown of Murray     | Kelley             | Slade              |
| Buxton              | Kendrick           | Stovall            |
| Childs              | Lewis              | Strong             |
| Cooke               | Littleton          | Stubbs of Thomas   |
| Cordell             | Lovejoy            | Tracey             |
| Couch               | Martin             | Wood               |
| Culberson           | Meadows of Toombs  | Wright of Floyd    |
| Dickson             | Miller of Ware     |                    |
| Elder               | Milikin            |                    |

Those not voting were Messrs.:

|                    |                |          |
|--------------------|----------------|----------|
| Bagley             | Brown of Henry | Carter   |
| Beacham            | Burch          | Chandler |
| Brinson of Decatur | Carswell       | Converse |

|                       |                    |                   |
|-----------------------|--------------------|-------------------|
| Cowan                 | Kicklighter        | Rentz             |
| Davis                 | Meadows of Telfair | Smith of Walton   |
| Edmondson             | Middlebrooks       | Stubbs of Putnam  |
| Ellis                 | MacFarland         | Tuggle            |
| Fender                | McArthur           | Waddell           |
| Griffin of Twiggs     | McCarthy           | Wasden            |
| Hardman of Jackson    | Oliver             | Wohlwender        |
| Helms                 | Paulk              | Woodliff          |
| Holder of Floyd       | Peacock            | Wright of Stewart |
| Huie                  | Reaves             | Mr. Speaker       |
| Johnson of Jeff Davis | Redding            |                   |

The roll call was verified and on counting the vote it was found that the ayes were 82, nays, 61.

The bill having failed to receive the requisite Constitutional majority was lost.

On motion of Mr. McElreath, of Fulton, House Bill No. 241 was taken from the table and placed on the Calendar

On motion of Mr. Persons, of Monroe, the session was extended 10 minutes for reading Senate local bills a second time.

Mr. Fullbright, of Burke, moved that the regular session be extended to 1:30 o'clock, which motion prevailed.

Mr. Chandler, Chairman of Insurance Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Insurance has had under consideration Senate Bill No. 196—A bill to fix the fees to be paid by local fire and storm insurance companies. And have instructed me, as their Chairman, to report the same back to the House with the recommendation that the same do pass,

Respectfully submitted,

H. H. CHANDLER, Chairman.

The following Senate bill was read the second time, to-wit:

By Messrs. Pitts, of 43rd district; Irwin, of 11th district—

A bill to fix fees to be paid by local fire and storm insurance companies.

The following resolution was taken up under head of unfinished business, to-wit:

By Mr. Hall, of Bibb—

A resolution to provide for the sale of the Governor's Mansion.

The substitute proposed by Mr Garlington, of Richmond, was adopted as amended. The amendments are as follows:

To amend by striking out the third resolution and substituting the following:

“Third. Be it further resolved, That it shall be the duty of said Commission to receive and consider offers or proposals of any kind for the purchase from the State of said property or in connection therewith to examine any property that may be offered in exchange therefor or any other property probably available to hear argument and suggestions from any and all persons, and to digest and report all facts pertinent to be considered in, and to report the premises to the next General Assembly and make such recommendations as they deem wise  
Also

To amend by striking from the caption the words “bids upon,” and substitute therefor the words “offers or proposals of any kind for the purchase from the State of.” Also

To amend by striking out all words in the caption after “Atlanta,” where it occurs in line 6 and substituting the words “and to consider and report thereon to the next General Assembly, and for other purposes.”

To amend by striking “3” and inserting “5” and by striking “2” and inserting “3.”

The report of the Committee which was favorable to the passage of the resolution as amended was agreed to.

On the passage of the resolution the ayes were 105, nays, 3.

The resolution having received the requisite Constitutional majority was passed as amended.

The Speaker appointed the following Committee under House Resolution No. 295, looking to the sale of the Governor's Mansion: Messrs. Hall, of Bibb; Anderson, of DeKalb; Davis, of Dougherty; Fullbright, of Burke; Vinson, of Baldwin.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. McCutchen, of Heard—

A bill to regulate the manner of selecting official county newspapers, and for other purposes.

The following amendments were adopted:

To amend by striking the words "petitions for charters" in Section 1.

To amend by striking the words "five successive years" in lines 20 and 21 of Section 1, and insert in lieu thereof the words "a period of two years." Also to insert "two years" in lieu of "five years" in line 31 same Section.

The report of the Committee was agreed to as amended.



On the passage of the bill the ayes were 100, nays, 9.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Barksdale, of Wilkes—

A bill to fix the salary of the stenographer of the State Bank Examiner.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 96, nays, 10.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid, of Campbell—

A bill to provide a stenographer for the insurance department.

The favorable report of the Committee was agreed to as amended. The amendment is as follows:

By Mr. Brown, of Murray—

To amend by adding a proviso as follows: “The salary of said stenographer shall be paid by the

Comptroller-General out of the one-fifth of the agents fees allowed him by existing law.”

On the passage of the bill the ayes were 104, nays, 18.

The bill having received the requisite Constitutional majority was passed as amended.

On motion of Mr. Henderson, of Irwin, House Bill No. 524 was tabled.

By Mr. Barrett, of Stephens—

A bill to appropriate \$50 to pay for water used by the House during 1910.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman Mr. Ault, of Polk.

After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                      |                     |
|---------------------|----------------------|---------------------|
| Adams               | Godley               | McConnell           |
| Alexander of DeKalb | Graddick             | McCrory             |
| Alexander of Fulton | Guyton               | McCutchen           |
| Allen               | Hall                 | McElreath           |
| Anderson of Chatham | Hardeman of Jeff's'n | McMahan             |
| Armistead           | Harrington           | McMichael of Butts  |
| Atherton            | Harvey               | McMichael of Marion |
| Atkinson            | Hatfield             | McWhorter           |
| Aul;                | Heard                | Parker of Decatur   |
| Barksdale           | Henderson of Irwin   | Parker of Talbot    |
| Bailey              | Henderson of Turner  | Paulk               |
| Barrett             | Hill                 | Peacock             |
| Bell                | Howell               | Pickett             |
| Berry               | Hubbard              | Pierce              |
| Booker              | Hullender            | Popo                |
| Boyd                | Huie                 | Porter              |
| Brinson of Emanuel  | Johnson of Bartow    | Price               |
| Brown of Carroll    | Johnson of Towns     | Reid of Campbell    |
| Brown of Murray     | Joiner               | Reid of Macon       |
| Burch               | Jones of Laurens     | Roberts             |
| Butt                | Jones of Meriwether  | Rogers              |
| Buxton              | Jones of Mitchell    | Rosser              |
| Calbeck             | Keith                | Sheppard            |
| Childs              | Kelley               | Shirley             |
| Cooke               | Kendrick             | Simmons             |
| Cordell             | Kennedy              | Simpson             |
| Couch               | Kidd                 | Slade               |
| Culberson           | Kirby                | Smith of Gilmer     |
| Cureton             | Lawrence             | Smith of Tattnall   |
| Daniel              | Littleton            | Stovall             |
| Dickson             | Lord                 | Stubbs of Putnam    |
| Drawdy              | Lovejoy              | Stubbs of Thomas    |
| Elder               | Martin               | Tarver              |
| Ellison             | Miller of Calhoun    | Tippins             |
| English             | Miller of Ware       | Tracey              |
| Ford                | Milikin              | Tuggle              |
| Fullbright          | Minter               | Turner              |
| Garlington          | Moore                | Turnipseed          |
| Gastley             | Moss                 | Upshaw              |
| Gillis              | MacIntyre            | Walters             |

|                  |                |                 |
|------------------|----------------|-----------------|
| Watkins          | Wight of Grady | Woodliff        |
| White of Screven | William        | Wright of Floyd |
| Whiteley         | Wood           |                 |

Those not voting were Messrs:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Alley               | Fairecloth            | McArthur          |
| Anderson of Bullock | Fender                | McCarthy          |
| Bagley              | Field of DeKalb       | McCurry           |
| Baker               | Fields of Crisp       | Oliver            |
| Beacham             | Griffin of Sumter     | Persons           |
| Brinson of Decatur  | Griffin of Twiggs     | Proctor           |
| Brown of Fulton     | Hardman of Jackson    | Reaves            |
| Brown of Henry      | Helms                 | Redding           |
| Cannon              | Hendricks             | Reese             |
| Carswell            | Holder of Floyd       | Rentz             |
| Carter              | Holtzelaw             | Smith of Walton   |
| Chandler            | Johnson of Jeff Davis | Strong            |
| Converse            | Kicklighter           | Vinson            |
| Cowan               | Lewis                 | Waddell           |
| Davis               | Meadows of Telfair    | Wasden            |
| Edmondson           | Meadows of Toombs     | Wohlwender        |
| Edwards             | Middlebrooks          | Wright of Stewart |
| Ellis               | Mitchell              | Mr. Speaker       |
| Evans               | MacFarland            |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 128, nays, 0.

The bill having received the requisite Constitutional majority was passed.

On motion of Mr. Anderson, of Chatham, House Bill No. 866 was tabled.

Mr. Barrett, of Stephens, moved to adjourn, which motion prevailed and the business for which the session was extended was taken up.

The following Senate bills were read the third time and put upon their passage:

By Mr. Slaton, of 35th district—

A bill to authorize County Commissioners in certain counties to condemn land for road purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 98, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Alexander, Brown and McElreath—

A resolution to authorize the city of Atlanta to build certain viaducts over the right of way of the W. & A. R. R.

The following amendments were adopted, to-wit:

To amend by adding as follows: "*Provided*, That the plans and specification be first submitted to the Governor and approved by him. And *provided*,

*further*, That this permission be void unless the power is exercised by commencing their work within 5 years from the approval of this bill." Also

To amend by adding the words "in writing" after word "consent."

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 93, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Messrs. Alexander, Brown and McElreath—

A resolution asking the State for the cession of a strip of land to widen Peachtree street.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 87; nays, 6.

The bill having failed to receive the requisite Constitutional majority was lost.

Leave of absence was granted—

Mr. Middlebrooks, sickness.

Mr. Bagley, sickness.

Mr. Hardman, of Jackson, sickness.

Mr. Johnson, of Jeff Davis, funeral of relative.

Mr. Hendrick, of Tift, sickness.

The Speaker then announced the House adjourned until 9 o'clock Monday morning.

ATLANTA, GEORGIA,

MONDAY, August 8, 1910.

The House met pursuant to adjournment at 9 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                      |
|---------------------|-----------|----------------------|
| Adams               | Burch     | Fairecloth           |
| Alexander of DeKalb | Butt      | Fender               |
| Alexander of Fulton | Buxton    | Field of DeKalb      |
| Allen               | Calbeck   | Fields of Crisp      |
| Alley               | Cannon    | Ford                 |
| Anderson of Bullock | Carswell  | Fullbright           |
| Anderson of Chatham | Carter    | Garlington           |
| Armistead           | Chandler  | Gastley              |
| Atherton            | Childs    | Gillis               |
| Atkinson            | Converse  | Godley               |
| Ault                | Cooke     | Graddick             |
| Barksdale           | Cordell   | Griffin of Sumter    |
| Bagley              | Couch     | Griffin of Twiggs    |
| Bailey              | Cowan     | Guyton               |
| Baker               | Culberson | Hall                 |
| Barrett             | Cureton   | Hardeman of Jeff's'n |
| Beacham             | Daniel    | Hardman of Jackson   |
| Bell                | Davis     | Harrington           |
| Berry               | Dickson   | Harvey               |
| Booker              | Drawdy    | Hatfield             |
| Boyd                | Edmondson | Heard                |
| Brinson of Decatur  | Edwards   | Helm                 |
| Brinson of Emanuel  | Elder     | Henderson of Irwin   |
| Brown of Carroll    | Ellis     | Henderson of Turner  |
| Brown of Fulton     | Ellison   | Hendricks            |
| Brown of Henry      | English   | Hill                 |
| Brown of Murray     | Evans     | Holder of Floyd      |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slade             |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrory             | Smith of Tattnall |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Oliver              | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipseed        |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Pickett             | Waddell           |
| Lewis                 | Pierce              | Walters           |
| Littleton             | Pope                | Wasden            |
| Lord                  | Porter              | Watkins           |
| Lovejoy               | Price               | White of Screven  |
| Martin                | Proctor             | Whiteley          |
| Meadows of Telfair    | Reaves              | Wight of Grady    |
| Meadows of Toombs     | Redding             | Williams          |
| Middlebrooks          | Reese               | Wohlwender        |
| Miller of Calhoun     | Reid of Campbell    | Wood              |
| Miller of Ware        | Reid of Macon       | Woodliff          |
| Milikin               | Rentz               | Wright of Floyd   |
| Minter                | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

Mr. McCrory, of Schley, gave notice that at the proper time he would move to reconsider the action of the House on House Bill No. 722.

Mr. Reid, of Campbell, gave notice that at the proper time he would move to reconsider House Bill No. 792.

Mr. Anderson, of Chatham, moved that the House hold an afternoon session today from 3 p. m. to 6 o'clock p. m. to consider the order of business as prescribed by the Committee on Rules, which motion prevailed.

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following House and Senate bills and instruct me, as their Chairman, to report the same back to the House with the following recommendations:

House Bill No. 1091—To amend charter of St. Marys, Camden county. Do pass.

Senate Bill No. 220—An Act to provide for the dissolution of corporations. Do pass.

BUTT, Chairman.

Mr. Stubbs, Chairman of the Committee on Enrollment, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment have examined and find properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit: No. 889, 958 and Resolution No. 177

Respectfully submitted,

STUBBS, Chairman.

The following Senate bills were read the first time, to-wit:

By Mr. Day, of 41st district—

A bill to create the City Court of Ellijay

Referred to Committee on Special Judiciary.

By Mr. Stevens, of 30th district—

A bill to require County Commissioners of certain counties to pay certain costs to Solicitors and other officers.

Referred to Committee on Special Judiciary

By Mr. Slater, of 1st district—

A bill to amend Article 7, Section 3, Paragraph 1 of the Constitution.

Referred to Committee on Constitutional Amendments.

The following Senate bills were read the second time, to-wit:

By Mr. Slater, of 35th district—

A bill to provide for dissolution of corporations.

The following Senate bill was read the second time and recommitted, to-wit:

By Mr. Kemp, of 16th district—

A bill to incorporate the Lanier School District.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Godley, of Camden—

A bill to amend the charter of St. Marys.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 120, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Pope, of Brooks—

A bill to create the City Court of Quitman.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Pope, of Brooks—

A bill to repeal an Act to create the City Court of Quitman.

The favorable report of the Committee was agreed to.

On passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Baker, of Lumpkin; Bush, of Laurens; Lewis, of Hancock—

A resolution to pay C. B. Weatherly stenographer of the joint Committee on re-arrangement of Judicial Circuits.

The favorable report of the Committee was agreed to.

On the passage of the resolution the ayes were 116, nays, 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate bill was read the third time and put upon its passage, to-wit:

By Mr. Kemp, of 16th district—

A bill to provide a two weeks session for the Superior Court of Emanuel county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 110, nays, 0.

The bill having received the requisite Constitutional majority was passed.

Leave of absence was granted Mr. Johnson, of Towns, on account of his having a sick patient in the city that required his attention. The leave was granted until 1 o'clock p. m.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to amend Section 671 of Volume 3 of the Code of 1895 relative to wrongful sale of mortgaged property

The Senate has passed as amended by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to establish the City Court of Madison in and for the county of Morgan.

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to authorize the mayor and council of Marietta to order an election upon the question of issuing bonds for extending the sewerage system of Marietta.

A bill to repeal an Act creating the City Court of Fayetteville.

A bill to amend an Act to create the City Court of Calhoun county.

A bill to amend the charter of the town of Riverdale.

A bill to amend an Act to create a new charter for the town of Willacoochee in the county of Coffee.

A bill to amend the general County Court Act so far as it applies to the County Court of Charlton.

A bill to establish the City Court of Barnesville.

A bill to repeal an Act to create a County Court in each county, so far as the same applies to Morgan county.

A bill to amend the charter of the city of Waynesboro.

A bill to incorporate the town of McIntyre in the county of Wilkinson.

A bill to create a new judicial circuit to be known as the Toombs Judicial Circuit; to provide for a judge and Solicitor-General thereof and for other purposes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bills of the Senate, to-wit:



A bill to authorize the Board of School Commissioners of Fort Valley to sell the property in said city known as the Grady Institute lot.

A bill to prohibit the sale of near beer in the county of Coffee.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

The Senate has passed by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to amend the charter of the city of Macon.

The Senate has passed as amended by a requisite Constitutional majority the following House bill, to-wit:

A bill to establish a new charter for the city of Albany.

The following bills set as the order of business by the Committee on Rules were read the third time and put upon their passage, to-wit:

By Mr. Wright, of Floyd—

A bill to require legislative counsel and legislative agents retained or employed on Commission by corporations or others to register with the Secretary of State, and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 118, nays, 3.

The bill having received the requisite Constitutional majority was passed.

Mr. Lawrence, of Chatham, desired to enter his protest against the passage of the above bill and the Speaker directed that he be recorded as voting NO.

On motion of Mr. Wright the above bill was ordered immediately transmitted to the Senate.

By Messrs. Alexander, Brown and McElreath, of  
Fulton—

A bill to appropriate \$35,000 to the Georgia School of Technology

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman, Mr. White, of Screven

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass as amended

The following amendments recommended by the Committee were adopted:

To amend by adding the following Section to be known as Section 3 and to immediately precede the repealing clause and to number remaining Sections accordingly: Sec. 3. Be it further enacted, That said appropriation shall not be available for the purpose aforesaid until plans and specifications for the proposed building shall have been prepared and approved by the Governor and until there shall have been produced to the Governor evidence satisfactory to him that there have been raised from private gifts or donation and actually expended upon the erection of such building a sum of at least \$15,000.

Also

To amend by striking the word "academic" in line 6, Section 1 of said Act and substituting the word "shop."

The report of the Committee was amended.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |           |                  |
|---------------------|-----------|------------------|
| Alexander of DeKalb | Atkinson  | Brown of Carroll |
| Alexander of Fulton | Ault      | Brown of Fulton  |
| Allen               | Barksdale | Brown of Henry   |
| Anderson of Bullock | Baker     | Burch            |
| Anderson of Chatham | Barrett   | Butt             |
| Armistead           | Booker    | Buxton           |
| Atherton            | Boyd      | Converse         |

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Cordell             | Jones of Mitchell  | Pope             |
| Couch               | Keith              | Porter           |
| Culberson           | Kirby              | Reese            |
| Daniel              | Lawrence           | Roberts          |
| Dickson             | Lewis              | Rosser           |
| Edwards             | Littleton          | Shirley          |
| Ellis               | Lovejoy            | Simmons          |
| English             | Martin             | Slade            |
| Faircloth           | Meadows of Toombs  | Smith of Gilmer  |
| Field of DeKalb     | Milikin            | Smith of Walton  |
| Fullbright          | Minter             | Stovall          |
| Garlington          | Moss               | Strong           |
| Godley              | MacFarland         | Stubbs of Thomas |
| Graddick            | MacIntyre          | Tarver           |
| Griffin of Sumter   | McCarthy           | Tuggle           |
| Griffin of Twiggs   | McCrory            | Upshaw           |
| Guyton              | McCurry            | Vinson           |
| Hardeman of Jeffs'n | McCutchen          | Watkins          |
| Hardman of Jackson  | McElreath          | Wight of Grady   |
| Helms               | McMahan            | Williams         |
| Henderson of Irwin  | McMichael of Butts | Wohlwender       |
| Hill                | McWhorter          | Woodliff         |
| Huie                | Parker of Talbot   | Wright of Floyd  |
| Jones of Laurens    | Persons            |                  |
| Jones of Meriwether | Pierce             |                  |

Those voting in the negative were Messrs.:

|                    |                     |                       |
|--------------------|---------------------|-----------------------|
| Adams              | Ellison             | Johnson of Jeff Davis |
| Alley              | Fender              | Joiner                |
| Bailey             | Ford                | Kelley                |
| Bell               | Gastley             | Kendrick              |
| Berry              | Gillis              | Kennedy               |
| Brinson of Emanuel | Hall                | Kidd                  |
| Brown of Murray    | Harrington          | Lord                  |
| Cannon             | Harvey              | Miller of Ware        |
| Carter             | Hatfield            | Mitchell              |
| Chandler           | Heard               | Moore                 |
| Childs             | Henderson of Turner | McConnell             |
| Cooke              | Hendricks           | Oliver                |
| Cowan              | Hubbard             | Parker of Decatur     |
| Diawdy             | Hullender           | Paulk                 |
| Elder              | Johnson of Bartow   | Proctor               |

|                  |                   |                  |
|------------------|-------------------|------------------|
| Reaves           | Simpson           | Walters          |
| Reid of Campbell | Smith of Tattnall | White of Screven |
| Reid of Macon    | Tippins           | Whiteley         |
| Rogers           | Tracey            | Wood             |
| Sheppard         | Turnipseed        |                  |

Those not voting were Messrs.:

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Bagley             | Holtzclaw           | Prico             |
| Beacham            | Howell              | Redding           |
| Brinson of Decatur | Johnson of Towns    | Rentz             |
| Calbeck            | Kicklighter         | Stubbs of Putnam  |
| Carswell           | Meadows of Telfair  | Turner            |
| Cureton            | Middlebrooks        | Waddell           |
| Davis              | Miller of Calhoun   | Wasden            |
| Edmondson          | McArthur            | Wright of Stewart |
| Evans              | McMichael of Marion | Mr. Speaker       |
| Fields of Crisp    | Peacock             |                   |
| Holder of Floyd    | Pickett             |                   |

The roll call was verified and on counting the votes it was found that the ayes were 94, nays, 59.

The bill having received the requisite Constitutional majority was passed as amended.

On motion of Mr. McElreath the above bill was ordered immediately transmitted to the Senate.

By Mr. McMahan, of Clarke—

A bill to appropriate \$5,000 to the Trustees of University of Georgia for the purpose of equipping, etc., the Carnegie Library.

On motion of Mr. Heard, of Dooley, the above bill was tabled.

By Mr. Barrett, of Stephens—

A bill to appropriate \$2,000 to the State Board of Health.

On motion of Mr. Heard, of Dooly, the bill was tabled.

By Messrs. Anderson, McCarthy and Lawrence, of Chatham—

A bill to invest county commissioners with the power to adopt regulations to protect public ways, roads and bridges from obstruction, drainage or misuse and to promote the safety and enjoyment of those using them, etc.

On the motion of Mr. Garlington, of Richmond, the bill was tabled.

By Mr. White, of Screven—

A bill to amend Section 5403 of the Code of 1895 fixing fees of Justices of the Peace.

The following amendment was adopted, to-wit:

To amend by striking all after the word “follows” in last line of Section 1 and substituting therefor the following: “The following shall be the fees for Justices of the Peace and Notaries Public:

|  |        |
|--|--------|
| For each original summons-----   | \$ .50 |
| For each copy original summons-----  | .50    |
| For affidavit and bond to obtain attachment<br>and issuing attachment----- | \$1.70 |
| For entering up judgment in each case ----                                 | .35    |
| For trial of each case litigated-----                                      | .35    |
| For issuing execution-----   | .50    |
| For affidavit to obtain promissory warrant<br>and making up same-----      | 1.25   |
| For trying same-----   | 2.00   |
| For making out interrogatories and certify-<br>ing same -----              | 1.25   |
| For making out recognizance and returning<br>same to court-----            | .50    |
| For each subpoena for witness-----   | 15     |
| For each search warrant issued-----  | 1.00   |
| For each affidavit when no cause pending-----                              | .35    |
| For answering each writ of certiorari-----                                 | 1.00   |
| For presiding at each trial of forcible entry<br>and detainer -----        | 1.00   |

|  |      |
|--|------|
| For presiding at trial of right-of-way-----      | 1.00 |
| For issuing a rule to establish lost papers----- | .50  |
| For trying same-----                             | .50  |
| For presiding at trial of nuisance-----          | 1.00 |
| For witnessing any papers-----                   | .35  |
| For affidavit and bond to obtain garnishment--   | 1.00 |
| For issuing summons of garnishment-----          | .50  |
| For each additional summons-----                 | .25  |
| For settling case before judgment-----           | .35  |
| For claim affidavit or bond or affidavit power-- | .50  |
| For trying claim cases-----                      | .50  |
| For foreclosing mortgage-----                    | 1.00 |
| For certifying transcript-----                   | .50  |
| For entering appeal to Superior Court-----       | .50  |
| For issuing each distress warrant-----           | 1.00 |
| For taking testimony in criminal cases-----      | 1.25 |
| For issuing order to sell personal property----  | .50  |



|  |      |
|--|------|
| For each lien foreclosed.....  | 1.00 |
| For entering appeal to jury in justice court---                            | .50  |
| For drawing jury and making out list.....                                  | .50  |
| For each case tried by jury.....   | .50  |
| For issuing commission to take interrogatories                             | .50  |
| For backing fi fa.....   | .35  |
| For rules nisi against officer.....  | .50  |
| For trying same.....   | .50  |
| For judgment of same.....  | .35  |
| For attachment for contempt against officer---                             | .50  |
| For issuing warrant to dispossess intruder or<br>tenants holding over..... | 1.75 |

## Sec. 2. Repealing clause.

The report of the Committee which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 93, nays, 22.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. White, of Screven—

A bill to amend Section No. 5404 of the Code of 1895 fixing the fees of Constables.

The following amendment was adopted:

To amend by striking the figures “15” in line 24 of said bill and substituting figures “10.” Also

To amend said bill by striking the figures \$1.25 in line 37 and inserting figures \$1.00.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 98, nays, 7.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Anderson, of Chatham—

A bill to amend an Act to annually levy and collect a tax for the support of the State Government relative to the tax levied on sale of near beer.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 108, nays, 4.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Brown, McElreath and Alexander, of  
Fulton—

A resolution to pay the heirs of Sherman J. Sims for right-of-way taken by the Northeastern Railroad.

On motion of Mr. Porter, of Floyd, the resolution was tabled.

By Mr. Tuggle, of Troup—

A bill to amend an Act to create a Prison Commission for the State of Georgia, and for other purposes.

On motion of Mr. Persons the above bill was tabled.

The following Senate bills were read the first time, to-wit:

By Mr. Ward, of 5th district—

A bill to make it unlawful to sell near beer, etc., in Coffee county.

Referred to Committee on Temperance.

By Mr. Mathews, of 23d district—

A bill to empower the Board of School Commissioners of Fort Valley to sell the property in said city known as Grady Institute lot, and for other purposes.

Referred to Committee on Education.

Mr. Reid, of Campbell, moved that the House reconsider its action in passing House Bill No. 792, which motion prevailed.

Mr. Alexander, of Fulton, moved that the House reconsider its action in defeating House Resolution No. 240, which motion prevailed.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted the following joint resolution in which the concurrence of the House is respectfully asked, to-wit:

A resolution to pay Mrs. Catherine Murray, widow of late Senator Murray, the sum of \$200.00.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to provide for the relief of prisoners in jail awaiting trial.

The next order of business is as follows, to-wit:

By Messrs. Kirby and Couch—

A resolution to pay pension due Mrs. Sarah Rigby for 1908.

An appropriation being involved the Speaker resolved the House into the Committee of the whole and designated as Chairman, Mr. Evans, of Bibb.

After a consideration of the resolution the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The report of the Committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |           |
|---------------------|---------------------|-----------|
| Adams               | Allen               | Armistead |
| Alexander of DeKalb | Alley               | Atherton  |
| Alexander of Fulton | Anderson of Chatham | Ault      |

|                    |                     |                  |
|--------------------|---------------------|------------------|
| Barksdale          | Henderson of Irwin  | Peacock          |
| Baker              | Henderson of Turner | Persons          |
| Barrett            | Holtzclaw           | Pierce           |
| Booker             | Howell              | Pope             |
| Brinson of Emanuel | Hullender           | Porter           |
| Brown of Carroll   | Huie                | Price            |
| Brown of Henry     | Johnson of Bartow   | Proctor          |
| Brown of Murray    | Joiner              | Reaves           |
| Burch              | Jones of Laurens    | Redding          |
| Butt               | Jones of Meriwether | Reid of Campbell |
| Buxton             | Kendrick            | Roberts          |
| Chandler           | Kennedy             | Sheppard         |
| Childs             | Kirby               | Shirley          |
| Converse           | Littleton           | Simmons          |
| Cooke              | Lord                | Simpson          |
| Cordell            | Martin              | Slade            |
| Couch              | Meadows of Toombs   | Smith of Gilmer  |
| Cowan              | Miller of Ware      | Smith of Tattall |
| Culbertson         | Milikin             | Stovall          |
| Dickson            | Minter              | Tarver           |
| Edwards            | Mitchell            | Tippins          |
| English            | Moore               | Tracey           |
| Evans              | Moss                | Tuggle           |
| Fairecloth         | MacIntyre           | Turnipseed       |
| Ford               | McConnell           | Upshaw           |
| Garlington         | McCrory             | Walters          |
| Guyton             | McCurry             | Watkins          |
| Gastley            | McCutchen           | Whiteley         |
| Griffin of Twiggs  | McElreath           | Wight of Grady   |
| Hardman of Jackson | McMahan             | Williams         |
| Harvey             | McMichael of Butts  | Wohlwender       |
| Hatfield           | McWhorter           | Woodliff         |
| Heard              | Parker of Decatur   | Wright of Floyd  |
| Helms              | Parker of Talbot    |                  |

Those voting in the negative were Messrs.:

|            |          |                   |
|------------|----------|-------------------|
| Cureton    | Graddick | Lewis             |
| Drawdy     | Hall     | Miller of Calhoun |
| Elder      | Keith    | Oliver            |
| Ellison    | Kelley   | Stubbs of Putnam  |
| Fullbright | Kidd     | Stubbs of Thomas  |

Those not voting were Messrs.:

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Anderson of Bulloch | Fields of Crisp       | McCarthy            |
| Atkinson            | Gillis                | McMichael of Marion |
| Bagley              | Godley                | Paulk               |
| Bailey              | Griffin of Sumter     | Pickett             |
| Beacham             | Hardeman of Jeffs'n   | Reese               |
| Bell                | Harrington            | Reid of Macon       |
| Berry               | Hendricks             | Rentz               |
| Boyd                | Hill                  | Rogers              |
| Brinson of Decatur  | Holder of Floyd       | Rosser              |
| Brown of Fulton     | Hubbard               | Smith of Walton     |
| Calbeck             | Johnson of Jeff Davis | Strong              |
| Cannon              | Johnson of Towns      | Turner              |
| Carswell            | Jones of Mitchell     | Vinson              |
| Carter              | Kicklighter           | Waddell             |
| Daniel              | Lawrence              | Wasden              |
| Davis               | Lovejoy               | White of Screven    |
| Edmondson           | Meadows of Telfair    | Wood                |
| Ellis               | Middlebrooks          | Wright of Stewart   |
| Fender              | MacFarland            | Mr. Speaker         |
| Field of DeKalb     | McArthur              |                     |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 110, nays, 15.

The resolution having received the requisite Constitutional majority was passed.

Leave of absence was granted Mr. Littleton, on account of sickness.

Mr. Hall, of Bibb, moved to adjourn, which motion prevailed and the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 o'clock p. m.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the roll call was dispensed with.

Mr. White, Chairman of the Committee on Pensions, submitted the following report:

August 8th, 1910.

*Mr Speaker:*

The Committee on Pensions having had under consideration the following bills return the same with the following recommendations:

That House Resolution No. 310—Do not pass.

That House Bill No. 832 Do not pass.

Respectfully submitted,

WHITE, Chairman.

Mr. Persons, Chairman of the Committee on Pensions, submitted the following report:

*Mr Speaker:*

Your Committee on Constitutional Amendments



has under consideration Senate Bill No. 287, increasing the borrowing power of the Governor from \$200,000 to \$300,000 and report the same back with the recommendation that it do pass.

PERSONS, Chairman.

August 8th, 1910.

Mr. Hardman, of Jackson, Chairman of Committee on Temperance, submitted the following report:

*Mr. Speaker:*

Your Committee on Temperance have had under consideration the following bill of the Senate and instructed me, as their Chairman, to report same back to the House with the recommendation that same do pass, to-wit:

A bill to make unlawful the sale of near beer and similar beverages in Coffee county.

Respectfully submitted,

L. G. HARDMAN, Chairman.

Mr. Fullbright, Chairman of Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had

under consideration the following Senate bills and instruct me, as their Chairman, to report them as follows:

Senate Bill No. 276—To pay officers cost of court in certain counties. Do pass.

Senate Bill No. 241—To establish the City Court of Ellijay. Do not pass.

Respectfully submitted,

FULLBRIGHT, Chairman.

The following Senate bill was read the first time, to-wit:

By Mr. Harrell, of 12th district—

A bill for the relief of prisoners in jail awaiting trial.

Referred to Committee on Penitentiary

The following bills were taken up and the Senate amendments agreed to, to-wit:

By Mr. Davis, of Dougherty—

A bill to create a new charter for the city of Albany.

By Mr. Atkinson, of Morgan—

A bill to create the City Court of Madison.

By Mr. Kidd, of Baker—

A bill to require County Tax Collectors to keep a record in the form of a cash book in which they shall record all items of cash collected and paid out.

By Messrs. Fullbright and White—

A bill to prohibit pistol carrying except under certain conditions.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following House bills, to wit:

A bill to amend the charter of the town of Norcross.

A bill to authorize the county of Gwinnett to issue bonds.

A bill to incorporate the town of Oglethorpe in the county of Macon.

A bill to amend an Act to establish a public school system for the town of Louisville.

A bill to amend an Act regulating the time that railroad charters become dormant and providing how forfeitures may be prevented.

A bill to amend an Act to establish a system of public schools for the town of Louisville.

A bill to consolidate, amend and supersede the several Acts incorporating the town of Marshallville.

The House concurred in the Senate substitute as amended, to following House bill, to-wit:

By Mr. Vinson, of Baldwin—

A bill to provide for the establishing of certificates of stock of banks or private corporations in lieu of lost certificates.

The following bills were read the third time and put upon their passage, to-wit:

By Mr. Hardman, of Jackson—

A bill to extend the work of suppression of contagious diseases among live stock.

An appropriaiton being involved the Speaker re-

solved the House into the Committee of the whole and designated as Chairman, Mr. Roberts, of Dodge.

After a consideration of the bill the Committee arose and through its Chairman reported the same back with the recommendation that it do pass.

The report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Alexander of DeKalb | Edwards             | Keith               |
| Alexander of Fulton | Faircloth           | Kendrick            |
| Allen               | Fender              | Kennedy             |
| Alley               | Field of DeKalb     | Kidd                |
| Anderson of Chatham | Ford                | Littleton           |
| Armistead           | Garlington          | Lord                |
| Atherton            | Gastley             | Lovejoy             |
| Atkinson            | Godley              | Martin              |
| Ault                | Graddick            | Meadows of Toombs   |
| Barksdale           | Griffin of Sumter   | Miller of Calhoun   |
| Barrett             | Griffin of Twiggs   | Milikin             |
| Booker              | Guyton              | Mitchell            |
| Brinson of Emanuel  | Hardman of Jackson  | Moore               |
| Brown of Henry      | Harrington          | Moss                |
| Burch               | Harvey              | MacFarland          |
| Butt                | Hatfield            | MacIntyre           |
| Buxton              | Henderson of Irwin  | McCrory             |
| Cannon              | Henderson of Turner | McCutchen           |
| Carter              | Hill                | McElreath           |
| Converse            | Holtzelaw           | McMahan             |
| Cooke               | Huie                | McMichael of Marion |
| Cordell             | Johnson of Towns    | McWhorter           |
| Culbertson          | Joiner              | Oliver              |
| Dickson             | Jones of Laurens    | Parker of Decatur   |
| Drawdy              | Jones of Meriwether | Paulk               |

|                  |                   |                |
|------------------|-------------------|----------------|
| Peacock          | Shirley           | Tracey         |
| <b>Persons</b>   | Simmons           | Turnipseed     |
| Pierce           | Slade             | Upshaw         |
| Pope             | Smith of Gilmer   | Vinson         |
| Porter           | Smith of Tattnall | Waddell        |
| Proctor          | Smith of Walton   | Walters        |
| Redding          | Stovall           | Watkins        |
| Reese            | Strong            | Wight of Grady |
| Reid of Campbell | Stubbs of Thomas  | Williams       |
| Roberts          | Tarver            | Wood           |
| Sheppard         | Tippins           |                |

Those voting in the negative were Messrs.:

|                  |                       |                    |
|------------------|-----------------------|--------------------|
| Adams            | English               | Miller of Ware     |
| Berry            | Fullbright            | Minter             |
| Brown of Carroll | Hall                  | McConnell          |
| Chandler         | Heard                 | McMichael of Butts |
| Childs           | Hullender             | Parker of Talbot   |
| Couch            | Johnson of Bartow     | Price              |
| Cowan            | Johnson of Jeff Davis | Reaves             |
| Elder            | Kelley                | Rosser             |
| Ellis            | Kirby                 | Stubbs of Putnam   |
| Ellison          | Lewis                 | Whiteley           |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Anderson of Bullock | Evans               | McCurry           |
| Bagley              | Fields of Crisp     | Pickett           |
| Bailey              | Gillis              | Reid of Macon     |
| Baker               | Hardeman of Jeffs'n | Rentz             |
| Beacham             | Helms               | Rogers            |
| Bell                | Hendricks           | Simpson           |
| Boyd                | Holder of Floyd     | Tuggle            |
| Brinson of Decatur  | Howell              | Turner            |
| Brown of Fulton     | Hubbard             | Wasden            |
| Brown of Murray     | Jones of Mitchell   | White of Screven  |
| Calbeck             | Kicklighter         | Wohlwender        |
| Carswell            | Lawrence            | Woodliff          |
| Cureton             | Meadows of Telfair  | Wright of Floyd   |
| Daniel              | Middlebrooks        | Wright of Stewart |
| Davis               | McArthur            | Mr. Speaker       |
| Edmondson           | McCarthy            |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 107, nays, 30.

The bill having received the requisite Constitutional majority was passed.

By Mr. Moss, of Cobb—

A bill to prevent the procuring of females for immoral purposes.

The substitute proposed was adopted.

The report of the Committee was agreed to by substitute.

On the passage of the bill the ayes were 94, nays, 13.

The bill having received the requisite Constitutional majority was passed by substitute.

The following resolution was read, to-wit:

By Mr. Smith, of Gilmer—

A resolution to make Senate Bill No. 241 a special order for its second reading.

Referred to Committee on Rules.

The next order of business is as follows:

By Mr. McElreath, of Fulton—

A bill to regulate the itinerant vending of medicines, etc.

The substitute was agreed to.

The favorable report of the Committee was agreed to by substitute.

On the passage of the bill the ayes were 77, nays, 49.

The bill having failed to receive the requisite Constitutional majority was lost.

The next special orders are as following, Senate bills, to-wit:

By Messrs. Gordy, Harrell and Womble—

A bill to fix the salaries of Solicitors-General of the several circuits of the State of Georgia.

The unfavorable report of the Committee was disagreed to and the bill was read the second time.

By Mr. King, of 14th district—

A bill to authorize the State Librarian to furnish the various Acts of the General Assembly and Su-



preme and Appellate Court report to the various new counties.

On motion of Mr. Alexander, of DeKalb, the above bill was tabled.

By Mr. Day, of 41st district—

A resolution for the relief of J. C. Powell, J. M. Kincaid, A. J. Ballew, and A. Beaver, of Fannin county as sureties on the bail bond of Poly Beaver.

The following amendment was adopted:

By Mr. Hall, of Bibb—

To amend by striking all between the word “bail bond” down to the word “provided.”

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 124, nays, 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Harrell, of 12th district—

A bill to amend Section 377, Volume 3 of the Code which defines the crime of bigamy.

The bill was tabled on motion of Mr. Ellis, of Bibb.

By Mr. King, of 14th district—

A bill to provide for the transfer of registered maps of municipalities when such municipalities have been located in a new county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 89, nays, 9.

The bill having failed to receive the requisite Constitutional majority was lost.

Leave of absence was granted—

Mr. Miller, of Ware, on account of sickness.

Mr. Griffin, of Sumter, on account of sickness.

Mr. McConnell, funeral.

On motion of Mr. Peacock, of Pulaski, the House adjourned until 9 o' 'lock tomorrow morning.

ATLANTA, GEORGIA,

TUESDAY, August 9, 1910.

The House met pursuant to adjournment at 9 o'clock a. m., this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings were dispensed with.

By unanimous consent it was ordered that the House hold an afternoon session from 2:30 to 5 o'clock.

Mr Barrett, Chairman of the Committee on Penitentiary, submitted the following report:

*Mr Speaker:*

Your Committee on Penitentiary has had under consideration Senate Bill No. 115, and instructs me, as Chairman, to report the same back with the recommendation that the same do not pass.

FERMOR BARRETT, Chairman.

Mr Johnson, of Bartow, Chairman of Committee on General Agriculture, submitted the following report:

*Mr. Speaker:*

Your Committee on General Agriculture have had under consideration Senate Bill No. 236, relative to titled an Act to provide for regulation of inspection and grading of grain and hay and for other purposes, and have instructed me, as their Chairman, to report same back with recommendation that it do not pass.

JOHNSON, of Bartow, Chairman.

Mr. Garlington, Chairman of Committee on Game and Fish submitted the following report.

*Mr. Speaker:*

Your Committee on Fish and Game having had under consideration Senate Bill No. 236, relative to fishways beg leave to report the same favorably as amended.

GARLINGTON, Chairman

Mr. Butt, Chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Corporation Committee has had under consideration the following Senate Bill and instruct me

as their Chairman to report the same back with the following recommendation:

Senate Bill No. 284, to amend Act incorporating the town of Hartwell, Hart county Do pass as amended.

BUTT, Chairman,

Mr. Hall, Chairman of Committee on General Judiciary submitted, the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following bill of the Senate and instructed me as their Chairman to report same back to the House with the recommendation that same do pass, to-wit:

A bill to provide for liability of husband for torts of wife.

A bill to make it unlawful for any person or corporation to publish the names of certain females in any publication in this State.

A bill to make the wife a competent witness in cases of seduction.

Respectfully submitted,

JOS. H. HALL, Chairman

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to incorporate the town of East End in the county of DeKalb.

A bill to provide a new charter for the town of East Lake in the county of DeKalb.

A bill to provide for municipal elections to determine the question of Local Taxation for Public Schools.

A bill to regulate the running of Automobiles and etc. on the highways of this State.

The Senate has passed by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to require County Commissioners of Lowndes county to work the Public Roads of incorporated municipalities.

A bill to amend an Act to prescribe the duties and powers of the Commissioners of Roads and Revenues for Ben Hill county.

A bill to authorize the County Physician in counties having a city therein of not less than 54,000 nor more than 85,000 inhabitants to employ a nurse for the county jail hospital.

A bill to provide for fixing a salary for the County Treasurer of Heard county.

A bill to create a Board of County Commissioners for Irwin county.

A bill to incorporate the town of Dearing in McDuffie county

A bill to fix the salary of the County Treasurer of Murray county.

A bill to create a new charter for the City of Dublin.

Mr. Stubbs, Chairman of the Enrollment Committee submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment has examined and found properly enrolled, duly signed and ready for delivery to the Governor, the following Acts Nos. 495, 1024.

Respectfully submitted,

STUBBS, Chairman.

The following Senate Bills were read the second time, to-wit:

By Mr. Stevens, of 30th district—

A bill to require County Authorities in certain counties to pay costs in criminal cases to Solicitors and other officers of Superior Court.

By Mr. Ward, of 5th district—

A bill to make unlawful the sale of near beer in Coffee county

By Mr. Harrell, of 12th district—

A bill to make the wife a competent witness in cases of seduction.

By Mr. Slater, of 1st district—

A bill to amend Article 7, Section 3, Paragraph 1, of the Constitution.

By Mr. McCurry, of 31st district—

A bill to amend an Act to incorporate the town of Hartwell.



By Mr. Callaway, of 10th district—

A bill to provide for fishways over dams for passage of fish.

By Mr. Sellers, of 3rd district—

A bill to make it unlawful to publish the name of a women upon whom the crime of rape has been committed.

By Mr. Slaton, of 35th district—

A bill to provide for liability of husband for torts of wife.

The following bills were taken up and the Senate amendments concurred in, to-wit:

By Messrs. Brinson and Parker, of Decatur—

A bill to amend Section 671, Volume 3, of the Code of 1895, relative to the wrongful sale of mortgaged property and for other purposes.

The Senate substitute to the above bill was concurred in.

By unanimous consent Senate Bill No. 94. was taken from the table and placed on the calendar.

By unanimous consent Senate Bills Nos. 166, 167, were tabled.

The following Senate Bills were read the third time and put upon their passage, to-wit:

By Mr. King, of 14th district—

A bill to authorize the State Librarian to furnish the various Acts of the General Assembly and all Supreme and Appellate Court reports to the various new counties.

The following amendments were adopted, to-wit:

To amend by inserting after word “furnish” in line 1, of paragraph 1, the words “as for as available for such distribution,” in line 6, paragraph 2, after word “date,” the words “that are available for such distribution,” and in line 8, of same paragraph after word “counties,” the words “and are available for such distribution.” Also

To ammend by adding to end of Section 1, the following, “provided that the State Librarian shall not be required to furnish under this resolution any copies of the Acts of the Legislature of earlier date than 1851.

The report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 118; nays 4.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Gordy, of 24th district—

A bill to change the time of holding the Superior Court of Marion county

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 119; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Harrell, of 12th district—

A bill to prohibit the shooting at, toward, or into any occupied dwelling house with gun or pistol etc., and for other purposes.

The following amendment was adopted:

By Mr. Barrett, of Stephens—

To amend caption and Section 1, by striking from both the words "of another" and inserting the words "or under other circumstances justifiable."

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 97; nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

By unanimous consent Senate Bill 216, was tabled.

By Mr. Mays, of 26th district—

A bill to amend an Act to authorize electric street, suburban and inter-urban railroad companies to acquire by purchase, lease, consolidation or merger the stock, property, rights and franchises of other such companies, and of companies formed to generate electricity, etc.

The report of the Committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |           |                 |
|---------------------|-----------|-----------------|
| Adams               | Armistead | Berry           |
| Alexander of Fulton | Ault      | Booker          |
| Allen               | Barksdale | Boyd            |
| Alley               | Bailey    | Brown of Fulton |
| Anderson of Bullock | Baker     | Brown of Henry  |
| Anderson of Chatham | Bell      | Butt            |

|                     |                       |                  |
|---------------------|-----------------------|------------------|
| Buxton              | Johnson of Jeff Davis | Paulk            |
| Calbeck             | Joiner                | Peacock          |
| Carswell            | Jones of Meriwether   | Persons          |
| Carter              | Jones of Mitchell     | Pickett          |
| Childs              | Kelley                | Pierce           |
| Converse            | Kendrick              | Porter           |
| Daniel              | Lawrence              | Proctor          |
| Davis               | Lewis                 | Redding          |
| Dickson             | Lord                  | Reid of Campbell |
| Drawdy              | Lovejoy               | Roberts          |
| Ellis               | Miller of Calhoun     | Rosser           |
| Fields of Crisp     | Milikin               | Simmons          |
| Fullbright          | Minter                | Simpson          |
| Garlington          | Mitchell              | Slade            |
| Gastley             | Moore                 | Smith of Gilmer  |
| Gillis              | MacFarland            | Tarver           |
| Graddick            | MacIntyre             | Tippins          |
| Griffin of Sumter   | McArthur              | Tuggle           |
| Griffin of Twiggs   | McCarthy              | Turner           |
| Hardeman of Jeffs'n | McCrory               | Turnipseed       |
| Heard               | McCurry               | Upshaw           |
| Henderson of Irwin  | McCutchen             | Watkins          |
| Henderson of Turner | McElreath             | White of Screven |
| Hill                | McMahan               | Whiteley         |
| Holder of Floyd     | McMichael of Butts    | Wight of Grady   |
| Holtzelaw           | McMichael of Marion   | Williams         |
| Hullender           | McWhorter             | Wohlwender       |
| Huie                | Parker of Talbot      | Woodliff         |

Those voting in the negative were Messrs.:

|                     |                    |                   |
|---------------------|--------------------|-------------------|
| Alexander of DeKalb | Elder              | Helms             |
| Atkinson            | Ellison            | Hendricks         |
| Brinson of Emanuel  | English            | Johnson of Bartow |
| Brown of Carroll    | Field of DeKalb    | Johnson of Towns  |
| Chandler            | Ford               | Jones of Laurens  |
| Coole               | Guyton             | Kennedy           |
| Cordell             | Hall               | Kidd              |
| Couch               | Hardman of Jackson | Kirby             |
| Calberson           | Harrington         | Oliver            |
| Cureton             | Harvey             | Parker of Decatur |
| Edwards             | Hatfield           | Prieo             |

|          |                   |                 |
|----------|-------------------|-----------------|
| Reese    | Smith of Tattnall | Walters         |
| Rogers   | Stovall           | Wood            |
| Sheppard | Stubbs of Thomas  | Wright of Floyd |
| Shirley  | Tracey            |                 |

Those not voting were Messrs.:

|                    |                    |                   |
|--------------------|--------------------|-------------------|
| Atherton           | Godley             | Pope              |
| Bagley             | Howell             | Reaves            |
| Barrett            | Hubbard            | Reid of Macon     |
| Beacham            | Keith              | Rentz             |
| Brinson of Decatur | Kicklighter        | Smith of Walton   |
| Brown of Murray    | Littleton          | Strong            |
| Burch              | Martin             | Stubbs of Putnam  |
| Cannon             | Meadows of Telfair | Vinson            |
| Cowan              | Meadows of Toombs  | Waddell           |
| Edmondson          | Middlebrooks       | Wasden            |
| Evans              | Miller of Ware     | Wright of Stewart |
| Faireloth          | Moss               | Mr. Speaker       |
| Fender             | McConnell          |                   |

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 102; nays 44.

The bill having received the requisite Constitutional majority was passed.

The following resolutions were read and adopted, to-wit:

By Mr. Stubbs, of Thomas—

A resolution providing for the bringing up of the unfinished business of the General Assembly for 1910.

On the adoption of the above resolution the ayes were 120; nays 0.

By Mr. Edwards, of Walton—

A resolution to expedite the publication of the Acts of the General Assembly.

By Messrs. McWilliams, of 34th district; Price, of 27th district—

A bill to amend an Act to establish a State Board of Embalmers, to provide for the better protection of life and health and prevent the spread of contagious diseases.

The above bill was tabled.

By Mr. Mathews, of 23rd district—

A bill to provide for the proper protection of Sinking Funds of Municipal Corporations and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 119; nays 17

The bill having received the requisite Constitutional majority was passed.

By Mr. Harrell, of 12th district—

A bill to amend Section 377, Volume 3, of the Code which defines the crime of bigamy

The following amendment was adopted:

By Mr. Anderson, of Chatham—

To amend by striking the word “twenty” and substituting the word “ten” wherever the same appears as the maximum term of imprisonment.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 105; nays 9.

The bill having received the requisite Constitutional majority was passed as amended.

The following Senate Resolutions were read and adopted, to-wit:

By Mr. Mathews, of 23rd district—

A resolution to pay Mrs. Catherine Murray, widow of late Senator Murray \$200.



By Mr. Harrell, of 12th district—

A resolution approving the idea of a World's Panama Exposition at New Orleans.

The next Senate Bills for third reading are as follows:

By Messrs. Callaway, of 10th district, Callaway, of 29th district—

A bill for the protection of Game Animals and Game Birds.

On motion of Mr. Sheppard the above bill was tabled.

By Mr. McCurry, of 31st district—

A bill to make it unlawful to obtain food or lodging etc., with intent to defraud.

The above bill was tabled on motion of Mr. Lovejoy.

On motion of Mr. Wohlwender, Senate Bill No. 7, was taken from the table and put upon its passage, the bill is as follows:

By Messrs. Callaway, of 10th district, Callaway, of 29th district—

A bill to protect game animals and game birds.

On motion of Mr. Sheppard, of Sumter the above bill was tabled.

The next Senate Bills for a third reading were as follows:

By Mr. Perry, of 33rd district—

A bill to amend an Act providing for the collection of past due taxes of the State, counties and municipalities and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 104; nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Price, of 27th district—

A bill to create the office of State Veterinarian, prescribing his duties, fixing his salary and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 99; nays 20.

The bill having received the requisite Constitutional majority was passed.

The following bill was taken up for the purpose of agreeing to the Senate amendments, to-wit:

By Messrs. Vinson of Baldwin, Anderson, of Bullock, Persons, of Monroe, Barksdale, of Wilkes—

A bill to fix the salaries of the Judges of the Court of Appeals and for other purposes.

The Senate proposed to amend by striking all after the caption and inserting in lieu the following: “Be it enacted that the salaries to be paid hereafter to the present Judges of the Court of Appeals and their successors in office are hereby fixed and shall be payable at the rate of \$5,000 per annum.”

On the adoption of the amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                  |                     |
|---------------------|------------------|---------------------|
| Alexander of Fulton | Brown of Carroll | Garlington          |
| Allen               | Brown of Fulton  | Gillis              |
| Alley               | Butt             | Graddick            |
| Anderson of Bullock | Carswell         | Griffin of Twiggs   |
| Anderson of Chatham | Converse         | Guyton              |
| Atkinson            | Davis            | Hall                |
| Barksdale           | Ellis            | Hardeman of Jeffs'n |
| Bailey              | Fender           | Helms               |
| Barrett             | Field of DeKalb  | Henderson of Irwin  |
| Booker              | Fields of Crisp  | Holtzelaw           |
| Boyd                | Fullbright       | Jones of Mitchell   |

|                    |                     |                  |
|--------------------|---------------------|------------------|
| Lawrence           | McMichael of Marion | Slade            |
| Lovejoy            | Parker of Talbot    | Smith of Gilmer  |
| Martin             | Peacock             | Smith of Walton  |
| Miller of Calhoun  | Pickett             | Strong           |
| Minter             | Pierce              | Stubbs of Putnam |
| Mitchell           | Pope                | Tuggle           |
| Moss               | Porter              | Turnipseed       |
| MacFarland         | Redding             | Vinson           |
| MacIntyre          | Reese               | White of Screven |
| McArthur           | Reid of Campbell    | William          |
| McCarthy           | Roberts             | Wohlwender       |
| McCrary            | Rogers              | Wood             |
| McCurry            | Rosser              | Wright of Floyd  |
| McElreath          | Simpson             |                  |
| McMichael of Butts | Simmons             |                  |

Those voting in the negative were Messrs.:

|                     |                       |                   |
|---------------------|-----------------------|-------------------|
| Adams               | Elder                 | Kelley            |
| Alexander of DeKalb | Ellison               | Kendrick          |
| Armistead           | English               | Kennedy           |
| Atherton            | Evans                 | Kidd              |
| Ault                | Ford                  | Kirby             |
| Baker               | Gastley               | Lord              |
| Bell                | Godley                | Milikin           |
| Berry               | Griffin of Sumter     | Moore             |
| Brinson of Emanuel  | Hardman of Jackson    | McCutchen         |
| Brown of Henry      | Harvey                | McMahan           |
| Calbeck             | Hatfield              | McWhorter         |
| Cannon              | Heard                 | Oliver            |
| Carter              | Henderson of Turner   | Parker of Decatur |
| Chandler            | Hill                  | Paulk             |
| Childs              | Hubbard               | Price             |
| Cooke               | Hullender             | Proctor           |
| Cordell             | Johnson of Bartow     | Reaves            |
| Couch               | Johnson of Jeff Davis | Sheppard          |
| Cowan               | Johnson of Towns      | Shirley           |
| Culberson           | Joiner                | Smith of Tattnall |
| Dickson             | Jones of Laurens      | Stovall           |
| Drawdy              | Jones of Meriwether   | Stubbs of Thomas  |
| Edwards             | Keith                 | Tarver            |

|         |         |                |
|---------|---------|----------------|
| Tippins | Waddell | Whiteley       |
| Tracey  | Walters | Wight of Grady |
| Upshaw  | Watkins |                |

Those not voting were Messrs.:

|                    |                    |                   |
|--------------------|--------------------|-------------------|
| Bagley             | Hendricks          | McConnell         |
| Beacham            | Holder of Floyd    | Persons           |
| Brinson of Decatur | Howell             | Reid of Macon     |
| Brown of Murray    | Huie               | Rentz             |
| Burch              | Kicklighter        | Turner            |
| Buxton             | Lewis              | Warden            |
| Cureton            | Littleton          | Woodliff          |
| Daniel             | Meadows of Telfair | Wright of Stewart |
| Edmondson          | Meadows of Toombs  | Mr. Speaker       |
| Fairecloth         | Middlebrooks       |                   |
| Harrington         | Miller of Ware     |                   |

The roll call was verified and on counting the votes it was found that the ayes were 76; nays 77. The motion to agree was therefore lost and the Senate amendment was non-concurred in.

Leave of absence was granted:

Mr. Adams, of Hall.

The Speaker then announced the House adjourned until 2:30 o'clock this afternoon.

2:30 o'clock P. M.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

Mr. Fullbright, Chairman of Special Judiciary Committee submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has instructed me to report the following bills without recommendation:

House Bills Nos. 118, 150, 244, 291, 307, 400, 301, 457, 479, 527, 255, 665, 666, 888, 1026, 11, 12 and 13.

House Resolution No. 91.

Senate Bills Nos. 82 and 184.

Respectfully submitted,

H. J. FULLBRIGHT, Chairman.

August 9, 1910.

Mr. McMichael, Chairman of the Committee on Education submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration the following bills and instruct me to report as follows:

Senate Bill No. 270. Do pass.

Senate Bill No. 232. Do pass.

Respectfully submitted,

McMICHAEL, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended by a requisite Constitutional majority the following bills of the House, to-wit:

A bill to prevent the removal of personal property from this State, held under conditional purchase of sales.

A bill to amend Section 574, Volume 1, of the Code of 1895.

A bill to provide for succession to the office of Governor of Georgia.

The following Senate Bill was read the second time, to-wit:

By Mr. Mathews, of 23rd district—

A bill to authorize and empower the Board of School Commissioners of Fort Valley to sell certain property.

The House concurred in the Senate amendments to the following bills, to-wit:

By Mr. Alexander, of DeKalb—

A bill to create a new charter for the town of East Lake.

By Mr. McMichael, of Marion—

A bill to provide for Municipal Elections to determine the question of local taxation for Public Schools.

By Messrs. Tippins, Boyd, MacIntyre and McMichael—

A bill to regulate the running of Automobiles on highways of the State.

By Messrs. Alexander and Fields, of DeKalb

A bill to incorporate the town of East End.



By Mr. Alexander, of DeKalb—

A resolution providing for the appointment of a Commission by the Governor to consider and report upon a revision of the Judicial System of the State.

The following Committee amendments were adopted:

To amend by substituting “1911” for “1910” in Section 1, Line 5.

To amend by striking Sections 2 and 3, and re-number remaining Sections.

To amend by inserting the words “in addition to the members appointed by the Governor” after word “that” in Line 1, Section 4; also by inserting word “ex-officio” after words “members” in Line 2, Section 4, and by substituting word “Commission” for word “Committee” in Line 3, Section 4.

The favorable report of the Committee was agreed to as amended.

On the passage of the bill the ayes were 60; nays 45.

The resolution was therefore passed.

The following resolutions were read and put upon their passage, to-wit:

By Messrs. McElreath, Brown and Alexander, of  
Fulton—

A resolution for the widening of Peachtree Street.

The favorable report of the Committee was  
agreed to.

On the passage of the resolution the ayes were  
101; nays 13.

The resolution was therefore passed.

Senate Bill No. 42, was taken from the table and  
placed on the calendar.

By Mr. Alexander, of DeKalb—

A resolution to authorize the Governor to accept  
lands at Tallulah River.

The favorable report of the Committee was  
agreed to.

On the passage of the resolution the ayes were  
70; nays 0.

The resolution was therefore lost.

200 copies of Senate Bill No. 133 were ordered  
printed.

The following message was received from the  
Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to-wit:

resolution requesting the Comptroller-General to furnish the next General Assembly information as to whether S. M. Douthit, Tax Collector of Fanin county in 1879-1880, over paid his account to the State.

The following Senate Bills were read the third time, to-wit:

By Mr. Irwin, of 11th district—

A bill to require Ordinaries and County Commissioners to pay costs of Officers of Court.

The above bill was tabled.

By Messrs. Gordy, Harrell, and Womble—

A bill to fix the salary of the Solicitors General in the several circuits of this State

The previous question was called and the main question ordered.

On motion of Mr. Sheppard the House re-considered its action in ordering the main question.

The following amendment was read:

By Mr. Lovejoy, of Troup—

To amend by striking Section 3, and inserting the following Section 3; Be it further enacted that it shall be the duty of the Clerk of the several Courts to collect all monies arising from fines, costs and forfeitures now received by the Solicitor General and within thirty days after adjournment of each term of Court shall pay over to the State Treasurer all monies so collected. The State Treasurer shall out of said fines, costs and forfeitures arising from each Circuit pay to the Solicitor General of such Circuit the sum of Three Thousand Dollars and any surplus over such amount shall be repaid by the State Treasurer to the respective County Treasurers of such Circuit. Said surplus to be prorated in proportion to the amount paid in by each county in such Circuit. The said Clerks shall make to each term of his Court an itemized report of statement of all monies collected and remitted by him; said statement to be approved by the Judge of said Court if correct.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |          |           |
|---------------------|----------|-----------|
| Alexander of DeKalb | Alley    | Barksdale |
| Alexander of Fulton | Atherton | Baker     |
| Allen               | Atkinson | Bell      |

|                    |                       |                   |
|--------------------|-----------------------|-------------------|
| Booker             | Henderson of Irwin    | Pierce            |
| Boyd               | Henderson of Turner   | Price             |
| Brinson of Emanuel | Hendricks             | Proctor           |
| Brown of Fulton    | Hill                  | Redding           |
| Brown of Henry     | Hubbard               | Reid of Macon     |
| Brown of Murray    | Hullender             | Rogers            |
| Calbeck            | Huie                  | Rosser            |
| Cannon             | Johnson of Bartow     | Sheppard          |
| Chandler           | Johnson of Jeff Davis | Shirley           |
| Childs             | Johnson of Towns      | Simmons           |
| Converse           | Joiner                | Slade             |
| Cordell            | Jones of Laurens      | Smith of Gilmer   |
| Couch              | Kendrick              | Smith of Tattnall |
| Cowan              | Kennedy               | Smith of Walton   |
| Culberson          | Kirby                 | Stovall           |
| Daniel             | Lord                  | Stubbs of Putnam  |
| Davis              | Lovejoy               | Stubbs of Thomas  |
| Dickson            | Martin                | Tarver            |
| Drawdy             | Milikin               | Tippins           |
| Edwards            | Minter                | Tracey            |
| Elder              | Mitchell              | Tuggle            |
| Ellis              | Moore                 | Turner            |
| Ellison            | Moss                  | Turnipseed        |
| English            | MacFarland            | Upshaw            |
| Evans              | MacIntyre             | Vinson            |
| Fairecloth         | McConnell             | Waddell           |
| Field of DeKalb    | McCrary               | Walters           |
| Fields of Crisp    | McCurry               | Watkins           |
| Ford               | McCutchen             | White of Screven  |
| Gastley            | McMahan               | Whiteley          |
| Gillis             | McMichael of Butts    | Wight of Grady    |
| Graddick           | McMichael of Marion   | Williams          |
| Griffin of Twiggs  | McWhorter             | Wohlwender        |
| Hall               | Parker of Decatur     | Wood              |
| Hardman of Jackson | Parker of Talbot      | Woodliff          |
| Harrington         | Paulk                 | Wright of Floyd   |
| Harvey             | Peacock               |                   |
| Hatfield           | Persons               |                   |

Those voting in the negative were Messrs.:

|                 |        |          |
|-----------------|--------|----------|
| Armistead       | Burch  | Carswell |
| Ault            | Butt   | Carter   |
| Brown of Carrol | Buxton | Cooke    |

|                     |           |         |
|---------------------|-----------|---------|
| Fullbright          | Kidd      | Pope    |
| Garlington          | Lawrence  | Porter  |
| Godley              | Lewis     | Reaves  |
| Guyton              | McCarthy  | Reese   |
| Hardeman of Jeffs'n | McElreath | Roberts |
| Holtzelaw           | Oliver    |         |
| Keith               | Pickett   |         |

Those not voting were Messrs.:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Adams               | Griffin of Sumter   | Middlebrooks      |
| Anderson of Bullock | Heard               | Miller of Calhoun |
| Anderson of Chatham | Helms               | Miller of Ware    |
| Bagley              | Holder of Floyd     | McArthur          |
| Bailey              | Howell              | Reid of Campbell  |
| Barrett             | Jones of Meriwether | Rentz             |
| Beacham             | Jones of Mitchell   | Simpson           |
| Berry               | Kelley              | Strong            |
| Brinson of Decatur  | Kicklighter         | Wasden            |
| Cureton             | Littleton           | Wright of Stewart |
| Edmondson           | Meadows of Telfair  | Mr. Speaker       |
| Fender              | Meadows of Toombs   |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 121; nays 28.

The bill having received the requisite Constitutional majority, also two thirds of the members voting, the same was passed as amended.

The following resolution was read and adopted:

By Messrs. McArthur, Peacock, Persons and Wright—

A resolution memorializing Congress to establish the Appalachian Reserve.

The following resolution was read, to-wit:

By Mr. Hardman, of Jackson—

A resolution for relief of W. H. Dillinger.

Lie on table 1 day.

The Speaker then announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.

Wednesday, August 10, 1910.

The House met pursuant to adjournment at 9 o'clock A. M. this day was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Adams               | Burch     | Fairecloth          |
| Alexander of DeKalb | Butt      | Fender              |
| Alexander of Fulton | Buxton    | Field of DeKalb     |
| Allen               | Calbeck   | Fields of Crisp     |
| Alley               | Cannon    | Ford                |
| Anderson of Bulloch | Carswell  | Fullbright          |
| Anderson of Chatham | Carter    | Garlington          |
| Armistead           | Chandler  | Gastley             |
| Atherton            | Childs    | Gillis              |
| Atkinson            | Converse  | Godley              |
| Ault                | Cooke     | Graddick            |
| Barksdale           | Cordell   | Griffin of Sumter   |
| Bagley              | Couch     | Griffin of Twiggs   |
| Bailey              | Cowan     | Guyton              |
| Baker               | Culberson | Hall                |
| Barrett             | Cureton   | Hardeman of Jeffs'n |
| Beacham             | Daniel    | Hardman of Jackson  |
| Bell                | Davis     | Harrington          |
| Berry               | Dickson   | Harvey              |
| Booker              | Drawdy    | Hatfield            |
| Boyd                | Edmondson | Heard               |
| Brinson of Decatur  | Edwards   | Helms               |
| Brinson of Emanuel  | Elder     | Henderson of Irwin  |
| Brown of Carroll    | Ellis     | Henderson of Turner |
| Brown of Fulton     | Ellison   | Hendricks           |
| Brown of Henry      | English   | Hill                |
| Brown of Murray     | Evans     | Holder of Floyd     |



|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| Holtzelaw             | MacFarland          | Shirley           |
| Howell                | MacIntyre           | Simmons           |
| Hubbard               | McArthur            | Simpson           |
| Hullender             | McCarthy            | Slade             |
| Huie                  | McConnell           | Smith of Gilmer   |
| Johnson of Bartow     | McCrory             | Smith of Tattnall |
| Johnson of Jeff Davis | McCurry             | Smith of Walton   |
| Johnson of Towns      | McCutchen           | Stovall           |
| Joiner                | McElreath           | Strong            |
| Jones of Laurens      | McMahan             | Stubbs of Putnam  |
| Jones of Meriwether   | McMichael of Butts  | Stubbs of Thomas  |
| Jones of Mitchell     | McMichael of Marion | Tarver            |
| Keith                 | McWhorter           | Tippins           |
| Kelley                | Oliver              | Tracey            |
| Kendrick              | Parker of Decatur   | Tuggle            |
| Kennedy               | Parker of Talbot    | Turner            |
| Kicklighter           | Paulk               | Turnipseed        |
| Kidd                  | Peacock             | Upshaw            |
| Kirby                 | Persons             | Vinson            |
| Lawrence              | Pickett             | Waddell           |
| Lewis                 | Pierce              | Walters           |
| Littleton             | Pope                | Wasden            |
| Lord                  | Porter              | Watkins           |
| Lovejoy               | Price               | White of Screven  |
| Martin                | Proctor             | Whiteley          |
| Meadows of Telfair    | Reaves              | Wight of Grady    |
| Meadows of Toombs     | Redding             | Williams          |
| Middlebrooks          | Reese               | Wohlwender        |
| Miller of Calhoun     | Reid of Campbell    | Wood              |
| Miller of Ware        | Reid of Macon       | Woodliff          |
| Milikin               | Rentz               | Wright of Floyd   |
| Minter                | Roberts             | Wright of Stewart |
| Mitchell              | Rogers              | Mr. Speaker       |
| Moore                 | Rosser              |                   |
| Moss                  | Sheppard            |                   |

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following resolutions were read and adopted, to-wit:

By Mr. Anderson, of Chatham—

A resolution to notify the Senate that at 6 o'clock this afternoon the House would be ready to adjourn sine die.

By Mr. Tuggle, of Troup—

A resolution expressing the sympathy of the House with Mayor Wm. Gaynor of New York City, in the brutal assault made upon him and hoping for his speedy recovery.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by a requisite Constitutional majority the following Bills of the House, to-wit:

A bill for the protection of persons furnishing materials and labor for construction of Public Works.

A bill to amend the charter of the city of Hapeville.

A bill to cede lands in the county of Walker to the U. S. Government for government roads.

A bill to regulate the sanitary conditions of Hotels, Lodging Houses, etc.

A bill to provide for qualifications of managers of election in towns and cities of this State.

A bill to amend an Act to provide for the creation of local tax district Schools.

A bill to adopt the code of Laws prepared by John L. Hopkins.

A bill to amend Section 2388 of the Civil Code of Georgia.

A bill to amend Section 194, Volume 3, of the Code of 1895.

A bill to amend an Act to authorize the publication of certain Georgia reports.

The Senate has passed the following resolutions of the House, to-wit:

A resolution to purchase certain Georgia Reports from the Michie Co., of Charlottesville, Va.

A resolution to authorize the State Librarian to furnish reports to certain City Courts.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended by a requisite

Constitutional majority the following bill of the House, to-wit:

A bill to amend an Act creating a Public School System for Marietta, Cobb county, etc.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite Constitutional majority the following resolutions of the House, to-wit:

A resolution to pay C. B. Weatherly, Stenographer of the joint House and Senate on re-arrangement of Judicial Circuits.

A resolution to make appropriation to meet the deficiency in the Printing Fund.

A resolution to refund J. C. Rogers \$210.00 on bond of Eddie Harris.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate insists upon its amendment to the following Bill of the House, to-wit:

A bill to fix the salaries of the Judges of the Court of Appeals.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to appropriate \$35,000 to the Trustees of the University of Georgia for use of State School of Technology.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute by a requisite Constitutional majority the following bill of the House, to wit:

A bill to appropriate \$50.00 to pay for water furnished the House during the session of 1910.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended by a requisite Constitutional majority the following bill of the House, to-wit:

A bill to amend the charter of the city of Lafayette.

Mr. Stubbs, of Thomas, Chairman of the Enrollment Committee submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and found properly enrolled, duly signed and ready for delivery the following Acts, to-wit:

Nos. 495, 942, 911, 701, 978, 909, 840, 904, 992, 995, 943, 959, 1000, 718, 996, 629, 461, 1034, 977, and 940.

Also

House Resolutions Nos. 30, 151, 226, and 649.

The following bills were taken up and the Senate amendments concurred in, to-wit:

By Messrs. Brinson and Parker, of Decatur—

A bill to prevent the removal of personal property from the State held under a conditional purchase of sale and for other purposes.

By Messrs. Faircloth, of Johnson, Lewis of Hancock—

A bill to amend Section 574, Volume 1, of the Code of 1895, designating who are subject to road duty.

The following bill was taken up and the Senate amendments disagreed to, to-wit:

By Mr. Hall, of Bibb—

A bill to provide for succession of the Governor of this State.

The following Senate Bills were read the third time and put upon their passage, to-wit:

By Mr. Kemp, of 16th district—

A bill to incorporate the Lanier School District.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 23; nays 77.

The bill having failed to receive the requisite Constitutional majority was lost.

By Mr. Mathews, of 23rd district—

A bill to authorize the Board of School Commissioners of Fort Valley to sell certain property.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 108; nays 0.

The bill having received the requisite Constitutional majority was passed.

House Bill No. 284, was tabled by unanimous consent.

By Messrs. Mathews, of 23rd district; Akin, of 4th district—

A bill to provide for State and County Boards of Tax Returns and for other purposes.

Mr. Adams, of Hall moved that the bill be indefinitely postponed.

The previous question was called and the main question ordered.

On the motion to indefinitely postpone, the ayes and nays were ordered and the vote was as follows:



Those voting in the affirmative were Messrs.:

|                 |                       |                   |
|-----------------|-----------------------|-------------------|
| Adams           | Fields of Crisp       | McConnell         |
| Alley           | Ford                  | McCrory           |
| Armistead       | Gastley               | McCutcher         |
| Atherton        | Graddick              | Oliver            |
| Barrett         | Guyton                | Parker of Decatur |
| Bell            | Hall                  | Parker of Talbot  |
| Berry           | Harrington            | Paulk             |
| Brown of Henry  | Harvey                | Peacock           |
| Brown of Murray | Hatfield              | Pickett           |
| Buxton          | Heard                 | Reaves            |
| Calbeck         | Henderson of Turner   | Reid of Macon     |
| Cannon          | Hill                  | Roberts           |
| Carswell        | Hubbard               | Sheppard          |
| Carter          | Hullender             | Simmons           |
| Childs          | Johnson of Bartow     | Simpson           |
| Converse        | Johnson of Jeff Davis | Smith of Gilmer   |
| Cooke           | Johnson of Towns      | Smith of Tattnall |
| Cordell         | Joiner                | Smith of Walton   |
| Couch           | Jones of Laurens      | Stovall           |
| Cowan           | Jones of Mitchell     | Tippins           |
| Culberson       | Keith                 | Turner            |
| Cureton         | Kelley                | Turnipseed        |
| Daniel          | Kendrick              | Upshaw            |
| Dickson         | Kidd                  | Vinson            |
| Drawdy          | Kirby                 | Waddell           |
| Edmondson       | Lewis                 | White of Screven  |
| Edwards         | Martin                | Whiteley          |
| Elder           | Middlebrooks          | Williams          |
| Ellison         | Miller of Calhoun     | Wohlwender        |
| English         | Milikin               | Wood              |
| Evans           | Minter                | Woodliff          |
| Field of DeKalb | MacIntyre             |                   |

Those voting in the negative were Messrs.:

|                     |           |                    |
|---------------------|-----------|--------------------|
| Alexander of DeKalb | Atkinson  | Brinson of Emanuel |
| Alexander of Fulton | Ault      | Brown of Carroll   |
| Allen               | Barksdale | Brown of Fulton    |
| Anderson of Bullock | Baker     | Butt               |
| Anderson of Chatham | Boyd      | Chandler           |

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Davis               | Moore              | Redding          |
| Faircloth           | Moss               | Reese            |
| Fullbright          | MacFarland         | Reid of Campbell |
| Garlington          | McArthur           | Rogers           |
| Gillis              | McCurry            | Rosser           |
| Godley              | McElreath          | Shirley          |
| Hardman of Jackson  | McMahan            | Slade            |
| Helms               | McMichael of Butts | Stubbs of Putnam |
| Henderson of Irwin  | McWhorter          | Tarver           |
| Holtzelaw           | Persons            | Tuggle           |
| Huie                | Pierce             | Walters          |
| Jones of Meriwether | Pope               | Watkins          |
| Lawrence            | Porter             | Wright of Floyd  |
| Lord                | Price              |                  |
| Lovejoy             | Proctor            |                  |

Those not voting were Messrs.:

|                     |                    |                     |
|---------------------|--------------------|---------------------|
| Eagley              | Hendricks          | McMichael of Marion |
| Bailey              | Holder of Floyd    | Rentz               |
| Beacham             | Howell             | Strong              |
| Booker              | Kennedy            | Stubbs of Thomas    |
| Brinson of Decatur  | Kicklighter        | Tracey              |
| Burch               | Littleton          | Wasden              |
| Ellis               | Meadows of Telfair | Wight of Grady      |
| Fender              | Meadows of Toombs  | Wright of Stewart   |
| Griffin of Sumter   | Miller of Ware     | Mr. Speaker         |
| Griffin of Twiggs   | Mitchell           |                     |
| Hardeman of Jeffs'n | McCarthy           |                     |

The roll call was verified and on counting the votes it was found that the ayes were 95; nays 58.

The motion to indefinitely postpone was therefore prevailed and the bill was defeated.

The following communication was read, to-wit:

ATLANTA, GA., AUGUST 10, 1910.

From a bed of sickness I bring to the Honorable Members of the General Assembly, the officers and assistants, and to the gentlemen of the press in attendance a tray of carnations.

As I greeted you on the date you assembled, so I speed you on the day you are to adjourn with flowers of esteem.

I do this in compliment to my good mother, dearer and fairer at 80 years, to your good mothers and devoted firesides and in personal tribute to my fellowman.

I hope that you, without regard to political inclination or affiliation, will do me the courtesy to wear this sincere token of remembrance.

I trust that God may vouchsafe to you long lives of honorable service to the State, and that the house of each may be blessed with health, happiness and prosperity.

It is my delight and honor to be,

Yours, in good fellowship,

BENJAMIN M. BLACKBURN.

On motion of Mr. Fields, of Crisp the thanks of the House were unanimously tendered Mr. B. M. Blackburn for his beautiful remembrance.

Leave of absence was granted—

MR. MCWHORTER, of Greene.

The Speaker then announced the House adjourned until 2:30 o'clock this afternoon.

2:30 o'clock P. M.

The House re-convened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

On motion of Mr. Anderson, of Chatham, the House suspended Rule 31, which allows members three minutes in which to explain their votes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended by a requisite Constitutional majority the following resolution of the House, to-wit:

A resolution to appoint a Commission relative to receiving offers for old Governor's Mansion.

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to-wit:

A resolution providing for the payment to Hon. M. E. Collum, of 13th district, of the full per diem for the session of 1910.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in amendment of the House to the following Senate Bills, to-wit:

A bill to amend Section 377, Volume 3, of Penal Code of 1895, which defines the crime of bigamy.

A bill to prohibit the shooting at any occupied dwelling house in this State with any gun, pistol or rifle.

The following Senate bills were read the third time, to-wit:

By Mr. Mathews, of 23rd district—

A bill to provide a method for assessing and col

lecting taxes where such taxes are authorized and etc., and for other purposes.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 103; nays 3.

The bill having received the requisite Constitutional majority was passed.

By Mr. Rutherford, of 22nd district—

A bill to authorize Railroad Companies in this State to condemn property on condition and for other purposes.

The above bill was tabled.

By Mr. Mathews, of 23rd district—

A bill to authorize the State Board of Entomology to employ whatever assistants as are needed for successfully conducting the work of the Board, etc.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 90; nays 12.

The bill having failed to receive the requisite Constitutional majority was lost.

Senate Bill No. 101, was taken from the table, read again and put upon its passage, to-wit:

By Mr. Rutherford, of 22nd district—

A bill to authorize Railroad Companies to condemn property on condition etc.

The bill was again tabled in motion, ayes 67; nays 45.

The next Senate Bill for a third reading was as follows:

By Mr. McCurry, of 31st district—

A bill to make it unlawful to obtain food, lodging etc. with intention to defraud.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 106; nays 17.

The bill having received the requisite Constitutional majority was passed.

Mr. Allen, of Upson was allowed to withdraw

House Bills Nos. 584 and 585, from the further consideration of the House.

By Mr. Price, of 27th district—

A bill to amend Section 420 of the Penal Code to prohibit the running of freight trains on the Sabbath.

The Committee on Railroads proposed a substitute which was adopted.

The report of the Committee which was favorable to the passage of the bill by substitute was agreed to.

On the passage of the bill the ayes were 107; nays 9.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Slaton, of 35th district—

A bill to provide for the dissolution of Corporations.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 96; nays 12.

The bill having received the requisite Constitutional majority was passed.



By Mr. Slaton, of 35th district—

A bill to provide for liability for husband for torts of wife.

On motion of Mr. Anderson, of Chatham the above bill was tabled.

By Mr. Ward, of 5th district—

A bill to make unlawful the sale of near beer and similar beverages in Coffee county.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes were 94; nays 7.

The bill having received the requisite Constitutional majority was passed.

On motion of Mr. McMahan, Senate Bill No. 376 was tabled.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the following resolution of the House, to wit:

A resolution providing for bringing up the unfinished business of the House and Senate after adjournment.

ATLANTA, GA., August 10, 1910.

The following message was received from His Excellency, the Governor, through his Secretary Mr. Larsen:

*Mr. Speaker:*

I am directed by His Excellency, the Governor, to deliver to the House of Representatives, the accompanying message, to which he respectfully invites the consideration of your honorable body

ATLANTA, GA., August 10, 1910.

*To the House of Representatives:*

I have the honor to advise that I have approved and signed the following Acts and resolutions passed by your honorable body at its present session, to-wit:

An Act to require cottonseed-meal branded.

An Act to amend the Constitution as to Confederate pensions.

An Act to allow County Board of Education to borrow money to pay teachers.

An Act to amend Act creating Board of Commissioners in Liberty county.

An Act to amend an Act incorporating Leslie.

An Act to amend Act establishing City Court of Greenville.

An Act to repeal Act R. & R. Commissioners, Cherokee county

An Act to amend Act incorporating city of Union Point.

An Act to amend Act establishing City Court of Douglas.

An Act incorporating town of Lilburn.

An Act to repeal Act creating R. & R. Commissioners Butts county.

An Act to amend Section 5182 of the Code of 1895.

An Act to change time of holding fall term Superior Court, Liberty county.

An Act to fix the fees to be paid by local fire and storm assessment insurance companies in certain counties.

An Act to amend Section 982, Volume 1, 1895, adding Gordon and Wilkerson counties.

An Act to incorporate town of Ila.

An Act to repeal Act incorporating town of Naples.

An Act incorporating town of Brooks.

An Act to amend an Act creating City Court of Sylvester.

An Act to repeal an Act creating City Court of Danielsville.

An Act to amend an Act creating Board R. & R. Commissioners, Spalding and Butts counties.

An Act to repeal an Act incorporating town of Sycamore.

An Act to amend an Act establishing City Court of Waycross.

An Act to amend an Act incorporating city of Hagan.

An Act to authorize the sale of property in the city of Columbus.

An Act to amend an Act creating Board R. & R. Commissioners, Hall county.

An Act to amend an Act incorporating Citizen's Bank of Valdosta.

An Act to increase terms Superior Court, Whitfield county.

An Act to vest in city of Columbus title to certain lands now used for streets.

An Act to repeal an Act incorporating town of Atwater.

An Act to authorize County Commissioners of Camden county to issue license to persons conducting church festivals.

An Act to amend an Act creating City Court of Hazelhurst.

An Act to amend an Act creating City Court of Floyd county.

An Act to amend an Act creating city of Waycross.

An Act to amend an Act creating town of Milltown.

An Act to amend an Act incorporating town of Unadilla.

An Act to amend an Act establishing charter of Hogansville.

An Act to repeal Act creating office of Commissioners of R. & R., Madison county.

An Act to amend Paragraph 2, Section 6, Article 7, of Constitution.

An Act to authorize payment of legal costs in Campbell county.

An Act prohibiting betting on elections or primaries.

An Act to amend charter city of Cairo.

An Act to incorporate Tennille School District.

An Act to prohibit taking fish from certain creeks in Towns county.

An Act to provide registration system for city of Fort Gaines.

An Act to regulate butchering in Ware county.

An Act to authorize lease of grounds belonging to Fourth District of A. & M. College.

An Act to amend charter of Unadilla.

An Act to amend charter of town of Fairburn.

An Act to repeal road law as to counties of Gordon and Whitfield.

An Act to amend Act creating City Court of Ashburn.

An Act to amend Act creating Board of Commissioners of roads, public buildings, public property, etc.

An Act to ratify and confirm closing of Ansley street, DeKalb county.

An Act to amend an Act incorporating town of Pineview.

An Act to amend Act incorporating city of Lavonia.

An Act to amend charter of Powder Springs.

An Act to amend charter of Lithonia.

An Act to amend charter of town of Martin.

An Act to amend an Act providing charter of Helena.

An Act providing charter for Arlington.

An Act to amend Act creating Board R. & R. Commissioners, Dooly county

An Act to amend Section 982, Volume 1, Code of Georgia.

An Act to repeal Act creating office R. & R. Commissioners, Franklin county.

An Act to amend Act creating Board R. & R. Commissioners, Chattooga county.

An Act to amend charter city of Marietta.

An Act to amend charter city of Macon.

An Act incorporating town of Wilburn.

An Act to create Board R. & R. Commissioners, Butts county.

A resolution in reference to preservation of engines "Texas" and "General."

A resolution providing payment of per diem and expenses of Committees authorized to act after session of 1909.

A resolution to pay pensions due Mrs. R. A. Lynn.

JOSEPH M. BROWN, Governor.

The following bill was taken up and the Senate amendments disagreed to, to-wit:

By Mr. Rosser, of Walker—

A bill to amend the charter of the town of La Fayette.



The following bills were taken up and the Senate amendments concurred in, to-wit:

By Mr. Barrett, of Stephens—

A bill to appropriate money to pay for water furnished House during 1910.

By Mr. Moss, of Cobb—

A bill to amend an Act to create a system of public schools in Marietta.

By Mr. Hall, of Bibb—

A resolution to appoint Commission to receive offers for Governor's Mansion and look for new site, etc.

The Senate insisted on its amendment to House Bill No. 23 as follows:

By Messrs. Vinson, Anderson, of Bullock, et al—

A bill to fix the salaries of the judges of the Court of Appeals.

Mr. Ellis, of Bibb, moved that the House recede from its non-concurrence and on that motion the ayes and nays were ordered and the vote was as follows:

## Those voting in the affirmative were Messrs.:

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Alexander of Fulton | Guyton             | Pickett          |
| Allen               | Hall               | Pierce           |
| Anderson of Bullock | Henderson of Irwin | Pope             |
| Anderson of Chatham | Holtzclaw          | Porter           |
| Atkinson            | Jones of Mitchell  | Redding          |
| Barksdale           | Lawrence           | Reese            |
| Barrett             | Lewis              | Reid of Campbell |
| Booker              | Lovejoy            | Roberts          |
| Boyd                | Martin             | Rogers           |
| Brown of Carroll    | Middlebrooks       | Rosser           |
| Brown of Fulton     | Miller of Calhoun  | Simmons          |
| Butt                | Minter             | Slade            |
| Carswell            | Mitchell           | Smith of Gilmer  |
| Converse            | Moss               | Smith of Walton  |
| Cureton             | MacFarland         | Stubbs of Putnam |
| Davis               | MacIntyre          | Stubbs of Thomas |
| Ellis               | McArthur           | Tuggle           |
| Field of DeKalb     | McCarthy           | Turnipseed       |
| Fullbright          | McCurry            | Vinson           |
| Garlington          | McElreath          | White of Screven |
| Gillis              | McMichael of Butts | Wohlwender       |
| Godley              | Parker of Talbot   | Woodliff         |
| Graddick            | Persons            | Wright of Floyd  |

## Those voting in the negative were Messrs.:

|                     |           |                     |
|---------------------|-----------|---------------------|
| Alexander of DeKalb | Cordell   | Harrington          |
| Armistead           | Couch     | Harvey              |
| Ault                | Cowan     | Hatfield            |
| Baker               | Culberson | Heard               |
| Bell                | Daniel    | Helms               |
| Berry               | Dickson   | Henderson of Turner |
| Brinson of Emanuel  | Drawdy    | Johnson of Bartow   |
| Brown of Henry      | Edwards   | Joiner              |
| Calbeck             | Elder     | Jones of Laurens    |
| Cannon              | Ellison   | Keith               |
| Carter              | English   | Kendrick            |
| Chandler            | Evans     | Kidd                |
| Childs              | Ford      | Kirby               |
| Cooke               | Gastley   | Lord                |

|           |                   |                |
|-----------|-------------------|----------------|
| Milikin   | Proctor           | Turner         |
| Moore     | Reid of Macon     | Upshaw         |
| McConnell | Sheppard          | Waddell        |
| McCutchen | Shirley           | Walters        |
| McMahan   | Smith of Tattnall | Watkins        |
| Oliver    | Stovall           | Whiteley       |
| Paulk     | Tarver            | Wight of Grady |
| Peacock   | Tippins           | Wood           |
| Price     | Tracey            |                |

Those not voting were Messrs.:

|                    |                       |                     |
|--------------------|-----------------------|---------------------|
| Adams              | Hardeman of Jeffs's   | Meadows of Telfair  |
| Alley              | Hardman of Jackson    | Meadows of Toombs   |
| Atherton           | Hendricks             | Miller of Ware      |
| Bagley             | Hill                  | McClary             |
| Bailey             | Holder of Floyd       | McMichael of Marion |
| Beacham            | Howell                | McWhorter           |
| Brinson of Decatur | Hubbard               | Parker of Decatur   |
| Brown of Murray    | Hullender             | Reaves              |
| Burch              | Huie                  | Rentz               |
| Buxton             | Johnson of Jeff Davis | Simpson             |
| Edmondson          | Johnson of Towns      | Strong              |
| Fairecloth         | Jones of Meriwether   | Wasden              |
| Fender             | Kelley                | Williams            |
| Fields of Crisp    | Kennedy               | Wright of Stewart   |
| Griffin of Sumter  | Kicklighter           | Mr. Speaker         |
| Griffin of Twiggs  | Littleton             |                     |

The roll call was verified and on counting the votes it was found that the ayes were 69, nays, 68. The motion to recede therefore prevailed.

Mr. Heard, of Dooly, gave notice that at the proper time he would move to reconsider the action of the House in receding from its non-concurrence in the amendments to the above bill.

By Messrs. Perry, of 33d district; McDowell, of 9th—

A bill to increase the salaries of the Justices of the Supreme Court.

The favorable report of the Committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |                    |                    |
|---------------------|--------------------|--------------------|
| Alexander of Fulton | Godley             | McMahan            |
| Allen               | Graddick           | McMichael of Butts |
| Anderson of Bullock | Guyton             | Peacock            |
| Anderson of Chatham | Hall               | Pickett            |
| Barksdale           | Helms              | Pierce             |
| Barrett             | Henderson of Irwin | Porter             |
| Booker              | Holtzclaw          | Redding            |
| Boyd                | Jones of Mitchell  | Reese              |
| Brown of Carroll    | Lawrence           | Reid of Campbell   |
| Brown of Fulton     | Lewis              | Reid of Macon      |
| Butt                | Martin             | Roberts            |
| Carswell            | Middlebrooks       | Rosser             |
| Converse            | Miller of Calhoun  | Slade              |
| Cureton             | Minter             | Smith of Gilmer    |
| Davis               | Mitchell           | Smith of Walton    |
| Ellis               | Moss               | Stubbs of Putnam   |
| English             | MacFarland         | Stubbs of Thomas   |
| Evans               | MacIntyre          | Tuggle             |
| Field of DeKalb     | McArthur           | Turnipseed         |
| Fallbright          | McCarthy           | Vinson             |
| Garlington          | McCurry            | Wohlwender         |
| Gillis              | McElreath          | Wright of Floyd    |

## Those voting in the negative were Messrs:

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Adams               | Elder               | McConnell         |
| Alexander of DeKalb | Ellison             | McCutchen         |
| Armistead           | Ford                | Olive             |
| Ault                | Gastley             | Paulk             |
| Bell                | Harrington          | Price             |
| Berry               | Harvey              | Sheppard          |
| Brinson of Emanuel  | Hatfield            | Shirley           |
| Brown of Henry      | Heard               | Smith of Tattnall |
| Calbeck             | Henderson of Turner | Stovall           |
| Cannon              | Johnson of Bartow   | Tarver            |
| Carter              | Johnson of Towns    | Tippins           |
| Chandler            | Joiner              | Tracey            |
| Childs              | Jones of Laurens    | Turner            |
| Cooke               | Keith               | Upshaw            |
| Cordell             | Kendrick            | Waddell           |
| Couch               | Kennedy             | Walters           |
| Culbertson          | Kidd                | Watkins           |
| Daniel              | Kirby               | Whiteley          |
| Dickson             | Lord                | Wight of Grady    |
| Drawdy              | Milikin             | Wood              |
| Edwards             | Moore               |                   |

## Those not voting were Messrs.:

|                    |                       |                     |
|--------------------|-----------------------|---------------------|
| Alley              | Griffin of Twiggs     | Meadows of Telfair  |
| Atherton           | Hardeman of Jeff's'n  | Meadows of Toombs   |
| Atkinson           | Hardman of Jackson    | Miller of Ware      |
| Bagley             | Hendricks             | McCrory             |
| Bailey             | Hill                  | McMichael of Marion |
| Baker              | Holder of Floyd       | McWhorter           |
| Beacham            | Howell                | Parker of Decatur   |
| Brinson of Decatur | Hubbard               | Parker of Talbot    |
| Brown of Murray    | Hullender             | Persons             |
| Burch              | Huie                  | Popo                |
| Buxton             | Johnson of Jeff Davis | Proctor             |
| Cowan              | Jones of Meriwether   | Reaves              |
| Edmondson          | Kelley                | Rentz               |
| Fairecloth         | Kicklighter           | Rogers              |
| Fender             | Littleton             | Simmons             |
| Fields of Crisp    | Lovejoy               | Simpson             |
| Griffin of Sumter  |                       |                     |

Strong  
Wasden  
White of Screven

William  
Woodliff

Wright of Stewart  
Mr. Speaker

The roll call was verified and on counting the vote it was found that the ayes were 66, nays, 62.

The bill having failed to receive the requisite Constitutional majority was lost.

Mr. Heard, of Dooly, moved that the House reconsider its action in receding from its position in non-concurring in the Senate amendments to Senate Bill No. 23, seeking to increase the salaries of judges of the Court of Appeals.

On the motion to reconsider the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

|                     |            |                       |
|---------------------|------------|-----------------------|
| Adams               | Cooke      | Heard                 |
| Alexander of DeKalb | Cordell    | Helms                 |
| Armistead           | Couch      | Henderson of Turner   |
| Ault                | Culberson  | Hill                  |
| Baker               | Daniel     | Johnson of Bartow     |
| Bell                | Dickson    | Johnson of Jeff Davis |
| Berry               | Drawdy     | Johnson of Towns      |
| Booker              | Edwards    | Joiner                |
| Brinson of Emanuel  | Elder      | Jones of Laurens      |
| Brown of Henry      | Ellison    | Jones of Meriwether   |
| Calbeck             | Evans      | Keith                 |
| Cannon              | Ford       | Kendrick              |
| Carswell            | Gastley    | Kennedy               |
| Carter              | Harrington | Kicklighter           |
| Chandler            | Harvey     | Kidd                  |
| Childs              | Hatfield   | Kirby                 |

|                   |                   |                |
|-------------------|-------------------|----------------|
| Lord              | Proctor           | Tippins        |
| Milikin           | Reid of Macon     | Tracey         |
| Moore             | Sheppard          | Turner         |
| McConnell         | Shirley           | Upshaw         |
| McCutchen         | Simmons           | Walters        |
| McMahan           | Simpson           | Watkins        |
| Oliver            | Smith of Tattnall | Whiteley       |
| Parker of Decatur | Stovall           | Wight of Grady |
| Paulk             | Tarver            | Wood           |
| Price             |                   |                |

Those voting in the negative were Messrs.:

|                     |                    |                  |
|---------------------|--------------------|------------------|
| Alexander of Fulton | Henderson of Irwin | Porter           |
| Allen               | Holtzclaw          | Reaves           |
| Anderson of Chatham | Jones of Mitchell  | Redding          |
| Barksdale           | Lawrence           | Reese            |
| Barrett             | Lewis              | Roberts          |
| Boyd                | Lovejoy            | Rosser           |
| Brown of Carroll    | Martin             | Slade            |
| Brown of Fulton     | Middlebrooks       | Smith of Gilmer  |
| Butt                | Minter             | Smith of Walton  |
| Converse            | Mitchell           | Stubbs of Putnam |
| Davis               | Moss               | Stubbs of Thomas |
| Ellis               | MacFarland         | Tuggle           |
| English             | MacIntyre          | Turnipseed       |
| Field of DeKalb     | McArthur           | Vinson           |
| Fullbright          | McCarthy           | White of Screven |
| Garlington          | McCurry            | Williams         |
| Godley              | McElreath          | Wohlwender       |
| Graddick            | McMichael of Butts | Woodliff         |
| Guyton              | Pickett            | Wright of Floyd  |
| Hall                | Pierce             |                  |

Those not voting were Messrs.:

|                     |                    |                       |
|---------------------|--------------------|-----------------------|
| Alley               | Brinson of Decatur | Fairecloth            |
| Anderson of Bullock | Brown of Murray    | Fender                |
| Atherton            | Burch              | Fields of Crisp       |
| Atkinson            | Buxton             | Gillis                |
| Bagley              | Cowan              | Griffin of Sumter     |
| Bailey              | Cureton            | Griffin of Twiggs     |
| Beacham             | Edmondson          | Hardeman of Jefferson |

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Hardman of Jackson | Meadows of Toombs   | Reid of Campbell  |
| Hendricks          | Miller of Calhoun   | Rentz             |
| Holder of Floyd    | Miller of Ware      | Rogers            |
| Howell             | McCrory             | Strong            |
| Hubbard            | McMichael of Marion | Waddell           |
| Hullender          | McWhorter           | Warden            |
| Huie               | Parker of Talbot    | Wright of Stewart |
| Kelley             | Peacock             | Mr. Speaker       |
| Littleton          | Persons             |                   |
| Meadows of Telfair | Pope                |                   |

The roll call was verified and on counting the votes cast it was found that the ayes were 76, nays, 69. The motion to reconsider therefore prevailed.

The following resolution was read, to-wit:

By Messrs. Anderson, of Chatham, McArthur, of Montgomery—

A resolution instructing the Clerk to inform the Senate that the House has completed its business and is ready to adjourn, *sine die*.

Mr. Sheppard, of Sumter moved that the bill with the Senate amendments to increase the salaries of the Judges of the Court of Appeals be tabled.

The chair ruled the motion out of order and from that ruling Mr. Sheppard took an appeal.

Pending the discussion on the appeal Mr. Carswell moved to adjourn, which motion prevailed and the Speaker announced the House adjourned until 8 o'clock tonight.



8 O'CLOCK P. M.

The House reconvened at this hour and was again called to order by the Speaker.

Mr. Parker, of Talbot moved to dispense with the call of the roll, and the motion prevailed by a vote of ayes 94; nays 7.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate recedes from its amendment to the following bill of the House, to-wit:

A bill to amend the charter of the city of La Fayette.

The Senate has passed by a requisite Constitutional majority the following Bills of the House, to-wit:

A bill to amend the charter of the town of Decatur.

A bill to amend the charter of St. Marys and for other purposes.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute, by a requisite Constitutional majority the following Bill of the House, to-wit:

A bill to create an Auditor of State accounts.

The following resolution was read and adopted, to-wit:

By Mr. Barrett, of Stephens—

A resolution providing that the Senate be notified that the House will adjourn *sine die* at 8:30 o'clock tonight.

The House having had under discussion the following bill when the hour of adjournment arrived this afternoon the same was again taken up for the purpose of acting on the Senate amendment to the same, to-wit:

By Messrs. Vinson, Anderson, of Bullock, Persons, Barksdale—

A bill to provide for an increase in the salaries of the Judges of the Court of Appeals.

Mr. Sheppard who took an appeal from the decision of the Chair, and which was under discussion

when the House adjourned this afternoon, withdrew his appeal and also the motion to table.

Mr. Alexander, of DeKalb moved that the House insist upon its disagreement to the Senate amendment, which motion prevailed, ayes 83; nays 28.

By Mr. Pitts, of 43d district—

A bill to amend the Road Laws of The State and for other purposes.

The above bill was tabled.

The following resolutions were read and adopted:

By Mr. Anderson, of Chatham—

A resolution to provide that the General Assembly adjourn sine die, at 10 o'clock tonight.

By Mr. Sheppard, of Sumter—

A resolution providing that no business be transacted by the House except upon such matters as are received from the Senate

The following bill was taken up and the Senate amendments agreed to, to-wit:

By Mr Hall, of Bibb—

A bill to create an Auditor of State accounts.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate insists on its amendment and asks for a Conference Committee on the following Bill of the House, to-wit:

A bill to fix the salaries of the Judges of Court of Appeals.

And has appointed as a Conference Committee on part of the Senate on the above bill, Senators Burwell, Slater and Thompson.

On motion of Mr Anderson, of Chatham, Senate Bill No. 213 was tabled.

The following Senate Resolution was read and adopted, to-wit: .

By Mr. Day, of 41st district—

A resolution requesting certain information regarding the accounts of S. M. Douthit former Tax Collector of Fannin county

The following resolutions were read and adopted, to-wit:

By Messrs. Brown, of Fulton, Holtzelaw, of Houston—

A resolution extending the thanks of the House to the efficient and courteous messenger of the House, Mr. B. T. Paulk.

By Mr. Anderson, of DeKalb—

A resolution extending the thanks of the House to Mr. W. T. Morris, principal doorkeeper of the House, for courtesies.

By Mr. Alexander, of DeKalb—

A resolution thanking the Journal Clerk for services.

By Mr. Upshaw, of Douglas—

A resolution thanking Messrs. Brown, McElreath and Alexander, of Fulton for refreshments (ice cream and cake.)

By Mr. Boyd, of Spalding—

A resolution thanking Mr. Anderson, of Chatham for services rendered on Committee on Rules.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Bills of the House, to-wit:

A bill to amend an Act fixing the term of office of the Commissioner of Pensions.

A bill to authorize the dispensing of lemonade, milk shake and ice cream in Young Harris, Towns county Georgia.

A bill to amend the Act to prevent the adulteration of food.

A bill to increase the efficiency of the inspection of fertilizers and feed stuffs.

A bill to amend an Act providing for the election of County School Commissioners by the people.

A bill to establish City Court of Sylvester.

A bill to repeal an Act to establish the City Court of Sylvester.

A bill to incorporate the town of Ranger in the County of Gordon.

A bill to require County Commissioners, or Ordinaries, in all counties having therein a city of not less than 10,000 nor more than 12,000 to pay certain costs.

A bill to authorize the Council of the town of Comer to hold a bond election.

A bill to provide for fixing salary of County Treasurer of Harris county

A bill to amend the charter of the city of Buford, Gwinnett county, Georgia.

A bill to incorporate the town of Durand in the County of Meriwether, Georgia.

A bill to amend the charter of the city of Nashville in the County of Berrien.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Resolutions of the House, to wit:

A resolution to authorize City of Atlanta to build certain viaducts.

A resolution to pay Auditor and Stenographer in

natter of investigation of Keeper of Public Buildings and Grounds.

The Senate has concurred in the following Resolutions of the House, to-wit:

A resolution urging passage in Congress of National Appalachian Forest Reserve.

A resolution to widen Peachtree Street in the City of Atlanta as regards Governor's Mansion property.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has failed to pass by a requisite Constitutional majority the following Bills of the House, to-wit:

A bill to revise the School Laws so as to substitute a County Superintendent of Schools for Commissioner of Education.

A bill to fix salary of Stenographer in State Bank Examiner's Office.

The following message was received from the Senate through Mr. Northen, Secretary thereof:



*Mr. Speaker:*

The Senate has adopted the following Senate Resolution:

A resolution that the General Assembly adjourn sine die at 10:45 o'clock P. M.

Mr. Barrett, of Stephens moved that a Conference Committee be appointed to confer with a like Committee from the Senate on differences existing between the House and Senate on House Bill No. 23, providing for an increase in the salaries of the Judges of the Court of Appeals which motion was lost.

The following resolution was adopted:

By Mr. Anderson, of Chatham—

A resolution providing that the Senate be notified that the House will be ready to adjourn sine die at 10:15 o'clock P. M.

The following Senate Resolution was read and adopted, to-wit:

A joint resolution providing the House adjourn sine die at 11:45 o'clock P. M.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by a requisite Constitutional majority the following Bills of the House, to-wit:

A bill to amend 5261, Volume 1, of the Code of Georgia, relative to witness fees.

A bill to prevent the mending or keeping of tools for safe cracking.

A bill to regulate the manner of selecting Official County Newspapers.

A bill to authorize the Secretary of State to confer upon certain corporations the powers of Trust Companies.

A bill to dispense in Superior Court execution dockets of executions issuing from other Courts.

A bill to regulate the employment of minors in any messenger service whatever.

A bill to authorize The Board of Trustees of the Georgia State Sanitarium to establish a Training School.

A bill to incorporate the town of Berlin in Colquitt county

A bill to amend an Act to incorporate the town of Mitchells District in the County of Pulaski.

A bill to amend an Act incorporating the town of Milan in Telfair county.

A bill to amend the charter of Barwick.

A bill to create a new charter for the town of Dexter in Laurens county.

A bill amending Section 982, Volume 1, Code of 1895, so as to add the town of Ringgold, Catoosa county, as a State Depository

The Committee appointed by resolution of the General Assembly at its last session to investigate the charges made against the management of the State Sanitarium, submitted the following report:

*Mr Speaker:*

Pursuant to said resolution, your Committee met at the State Sanitarium on the 8th day of November, 1909, and organized by electing Senator McLean, Chairman, Representative Henderson, Vice-Chairman and Representative Carswell, Secretary.

While your Committee realized, that the principal purpose for which it was appointed was to ascertain whether or not the inmates of the institution were being treated with the kindness and consideration

that the people of Georgia and humanity demand they be treated, to ascertain if cruelty was allowed or permitted, by neglect or otherwise, by the officials and employees of said institution, yet, in order to get at an intelligent understanding of the treatment and care of the inmates, required a thorough and searching investigation of every branch of said institution; your committee, therefore, endeavored to learn the whole truth of the affairs of the entire institution, and herein attempt to report its findings thereon.

Ten days prior to the meeting for hearing evidence, your Committee published a notice in some of the daily and weekly newspapers of the State, requesting all persons who knew of anything relating to the management of the institution that would throw any light upon any matter connected with the same, to communicate with the Chairman of the Committee, and to give him the name of any witness who would testify either for or against the management of the Sanitarium, and all persons who were desirous of being heard, were brought before the Committee.

### BUILDINGS.

Your Committee finds that all the buildings are kept remarkably clean, the floors in the rooms and halls are almost spotless; the bedding is clean and comfortable in the white buildings. The negro building is so crowded that humanity demands that some provision be made to relieve the present condition. The building is poorly ventilated; it has three

hundred more inmates within its walls than should be there, and with its poor ventilation, and the overcrowded condition of this race of people, and especially in their unfortunate condition, makes it beyond the power of man to keep it in condition fit for human beings. There is no provision made for an amusement hall, and the inmates are even deprived, for the lack of space, of weekly religious services.

#### FOOD AND CLOTHING.

Your Committee finds that the inmates are clothed as well as the appropriations made by the State will permit, the condition of the patients will allow, and necessity requires. To properly prepare food for over three thousand insane people, to see that each and every one is given the quality and quantity of food most needed, is, within itself a tremendous undertaking. The food is, by necessity, cooked by steam, in large quantities, and the patients who, day after day and year after year, eat thereof, naturally become dissatisfied with the manner of preparation and the method of seasoning, and crave for a change. The preparation is as good as could be, taking into consideration the quantity to be prepared. While sufficient food was served to sustain life, yet some members of your Committee believe that the patients should be given more food and a greater variety, and that more personal care and attention should be given by those in immediate charge of the dining halls, to see that each and every inmate of the institution be

given a sufficiency of food to satisfy the appetite of an ordinary person.

### TREATMENT OF INMATES.

Your Committee made a thorough and searching investigation of the treatment of the inmates of the institution. We brought before the Committee a large number of the inmates of the institution, former inmates, who are now cured, former employees, and the officials and other employees now at the institution. We find that in some rare cases the patients have been treated unkindly by some of the attendants, but that no cruelty of any kind has ever been afflicted upon these unfortunates; that the officials and employees make an earnest and honest effort to see that the inmates are treated with consideration, gentleness and kindness, that where cases of unkindness towards any inmate is shown, it is a rare exception. We find that the charges brought by a former inmate of the institution, which charge we were especially appointed to investigate, are absolutely without foundation, and a vile injustice to the management of the Sanitarium. When it is taken into consideration the large number of patients, the different kind and classes of patients, the different grades of society, the number of attendants and the duties they have to perform, it is marvellous that more irregularities do not occur. As a whole, the patients are treated with kindness and consideration by the attendants and officials, and the people of Georgia who have friends or loved ones within the

walls of this Sanitarium, may rest assured that the inmates of the Georgia State Sanitarium are in the care and keeping of noble-hearted gentlemen, who do not and will not permit any harshness or cruelty towards these unfortunates.

#### KIND AND CLASSES OF INMATES.

Your Committee finds in this institution all kinds and classes of patients. We believe that this institution is being greatly imposed upon by nearly every county in the State, by being made the dumping ground of a large class of patients who have no right or business in the Sanitarium. In a large number of cases, an old man without money or friends, feeble-minded from old age who should be in the pauper home is sent to the Sanitarium to pass the remainder of his life. Feeble-minded children who need no medical treatment are sent to the Sanitarium for the balance of their lives. Sane epileptics are sent to the Sanitarium, where no provision has ever been made to relieve or help them in their unfortunate condition. Crowded thus as it is, the Georgia State Sanitarium has become a huge prison, the proper separation of patients impossible, the care and management thereof a tremendous undertaking, and the proper treatment by the officials of those who may be cured impaired.

#### TRUSTEES AND OFFICIALS.

The Trustees and Officials of the Sanitarium assisted your Committee in getting at a full and com-

plete examination of the institution. We believe that each and every Trustee and Official to be an honest man, capable and deserving the praises of the people of Georgia. The physicians are all capable men, alive and alert. The Superintendent measures up to his position, and the improvements and new energy that he has injected since becoming the head of the Sanitarium is marked, and with less money than similar institutions receive. We believe that he will make Georgia's Sanitarium the best in the land.

#### ATTENDANTS.

Your Committee examined a large number of the male attendants. We find that these attendants are honest and capable and making an earnest effort to do all in their power to better the conditions of the inmates, and that when an act of unkindness towards a patient by an attendant occurs it is an exception to the rule and the attendant is immediately discharged. We find that the supervisors, or the persons who have immediate control of the attendants and whose duty it is to see that the attendants treat the patients as they should be, hold a very, very important position, and that these positions should be filled by strong, capable men, who should always be alive to their duties. In all of our investigation, not a murmur or whisper of dissatisfaction came against the female attendants, and from all sides came praises for this class of attendants. The duties to be performed by the attendants, both male and female are anything but pleasant, and we believe that



their hours of labor should be shortened. The female attendants begin their work at sunrise, they must care for their patients and clean the wards. They work until night, and are then locked in the wards with the inmates for the night. They have no opportunity to better equip themselves as nurses, and have no opportunity for rest or amusement. Should a nurses' hall be provided by the State, in a few years this institution would have a most excellent set of trained nurses.

### BOOKKEEPING.

Your Committee finds that the records of the Sanitarium are not accurately kept, and that the method of bookkeeping is not intelligible. We find that there is no way of ascertaining the receipts and disbursements of the various farm and dairy products of the institution; the institution has no way of knowing whether they are receiving the proper amount of goods ordered, such as coal, etc., when received in car load lots, as the institution has no track scales upon which to weigh such articles when received, and are, therefore, forced to rely entirely upon the honesty and accuracy of the parties from whom they buy. In coal alone, thousands of dollars are expended annually, and the correctness of weights in such purchases should be assured. We find that a large number of the patients receive funds from relatives and friends; and a complete and accurate account of such funds should be kept, entirely separate from the funds of the institution, showing

the amounts received and the proper disbursements of the same. We believe that every dollar appropriated to the institution has been honestly disbursed; we earnestly recommend, however, that the officials of said institution use the money that is appropriated only for the specific purposes for which it is appropriated.

Your Committee believes that the basic wrong of this institution comes from too little money and too many patients, neither of which is chargeable to the Trustees or Officials for they have for years urged the necessity of getting more money

It is a shame that the sane epileptics are committed to the State Sanitarium and the State of Georgia should speedily make a home for these people, for to place a human who is not insane, for a term of life in an insane asylum is the most horrible affliction that can come to man. A place for betterment and not a horrible prison should be provided for them. The feeble-minded, especially the young children should be better provided for, and we believe that these classes, the epileptics and feeble-minded, should be provided for at places separate and distinct from the asylum for the insane. To the average man the amount of money spent at this institution for buildings and maintenance is enormous. Yet, to say that the Georgia Legislature has been miserly in its appropriations towards this institution, is putting it mildly. Year after year the Trustees and Officials of the Sanitarium have come before the Appropri-

ations Committee of the General Assembly and begged for more funds. They have asked for money to build apartments for those suffering from tuberculosis, and yet, year after year the apartments go unbuilt, and these patients are cared for as best they can be and oftentimes, giving this awful disease to other patients. There are but few people in this great State who have no friends or relatives confined in this, at its best, most awful institution and anything that relieves, aids, brightens and betters this most unfortunate class, is cheap at any price and the people of Georgia, through its Representatives should give ear to the needs of this institution. No Georgian will ever be heard to complain or murmur about the taxes he pays to support, to maintain, to make pleasant, to beautify this abiding place of God's unfortunate.

### RECOMMENDATIONS.

Your Committee makes the following recommendations.

1. That provision be made for the sane epileptics, senile and harmless imbeciles and feeble-minded children.
2. That sufficient funds be appropriated for buildings necessary to care for the colored patients; funds for a tuberculosis hospital; funds for a nurses' hall; funds for the construction of a water reservoir.
3. That the law be amended so the three nearest adult relatives may waive the ten day's notice now

required before commitment to the Sanitarium; amend the law so that nine members shall compose the Board of Trustees, three of whom shall be appointed every two years for a term of six years; amend the law so as to punish the officer who brings a patient to the institution and leaves or abandons such patient on the Sanitarium grounds, when, for any reason the patient is refused admittance by the authorities of the institution.

4. That the law be so amended as to allow inmates of the institution the privilege of sending out and receiving, one day in each week any and all mail without the same being inspected by the Officials of the institution.

J. L. McLEAN, Chairman.

F. M. LONGLEY,

L. R. AKIN,

F. E. CONLEY,

On part of the Senate.

J. A. J. HENDERSON, Chairman.

GEO. H. CARSWELL,

S. A. BROWN,

W. T. TUGGLE,

R. H. BAKER,

GEORGE BROWN,

C. R. McCURRY,

Of the House.

The following minority reports, which were submitted during the term were ordered to be incorporated in this day's Journal:

*Mr Speaker:*

The undersigned members of the House Committee on the Western & Atlantic Railroad, file this their minority report on the resolution of the House referring to this Committee the message of the Governor with reference to the purchase of lands for use as terminals by the Western & Atlantic Railroad near Chattanooga.

We are unable to concur in the report of the majority filed by the Chairman of the Committee. The report makes no recommendations, and consists generally in a concealed criticism of the action of the Governor in not making the purchase of the lands in question. We have no criticism to make on a large part of the report, except that it is absolutely immaterial and irrelevant to the issue. Most of the matters dealt with in it are questions of difference between the Governor and the Chairman of this Committee. The latter stated that he had spent practically all of the time he could possibly devote to that purpose for several weeks in drafting the report. It was read once in Committee and adopted without amendment as the report of the Committee, after a short discussion. None of the undersigned ever saw or heard it read until it was submitted to the Committee. Upon request, however, the Chairman kindly

furnished one of the undersigned a copy of the report at the adjournment of the Committee last night.

The report is a voluminous document. We have not the time, and think it would serve no good purpose for us to attempt to point out, except as hereinafter specified, the many respects in which the report fails to meet our approval, both in statement of facts and in conclusions drawn therefrom. We have no knowledge of a number of the statements made. As to others we do not agree with the report.

We find that the Governor was advised by the Attorney General who by the Constitution of the State is made his legal adviser, that there were no funds available in the Treasury upon which he could legally draw for the purpose of making this purchase.

In respect to the other reasons stated in the message as to why he did not consummate the purchases authorized by the resolution adopted by the General Assembly at its last session, we beg to report that we have ascertained that a number of members of the House voted for that resolution under the impression that the three tracts named therein were the only available lands suitable for the uses intended, and that those lands would not be available unless the options then in force were exercised. Most of the signers of this report were under that impression. As the Governor subsequently ascertained that there were other lands more available, and as it has since

come to the knowledge of the Committee that there are still other tracts which should be considered if the State is to make such a purchase, we are firmly convinced that the Governor acted wisely in exercising the discretion conferred upon him by the terms of the resolution referred to and in deferring action until a full and intelligent investigation might be made of all available tracts suitable for the uses intended. We find that the objections to the tracts named in the resolution referred to which are set out in his message do exist, that they are sound and valid objections, and if the best interests of the State are to be served should not be lightly disregarded.

We call attention to the fact that the majority report points out that no survey has ever been made of these lands, and for that reason no estimate has ever been made of the probable cost that would be incurred in doing the grading and filling acknowledged to be necessary to make the lands fitted for the purpose desired by the State

A moment's consideration will satisfy anyone that this is a matter of equal importance to the State as the original cost of the land that might be purchased. Properly considered, the cost of fitting the land for use and occupation is a part of the purchase-price; for the land, if purchased, is to be purchased for a specific purpose and would be entirely valueless until put in condition to be used for that purpose.

In view of the fact that it is conceded that there is no immediate use for additional land, and indeed that any land now purchased would not be used in any event, if at all, until the expiration of the present lease in 1920, we do not see that undue haste is necessary or desired in reaching a decision as to what particular land should be purchased. On the contrary we are convinced that a careful examination should be made of all lands available for the uses intended, and that this examination should include an estimate by a competent engineer, experienced in such work, of the quantity of land needed, and of the cost of putting the respective available tracts in condition to be used.

We respectfully submit that this is a plain business proposition, and should be settled in a plain business like way. No private person or corporation would undertake to determine the policy or needs for the future of a great business enterprise in the haphazard manner that the State of Georgia has undertaken to determine this question. So far as we are informed, not one member of the Committee is a practical railroad man, and certainly no member is an Engineer with experience in such matters. For a man or set of men entirely unskilled and without experience in such matters to attempt to decide the practicability or feasibility of such a proposition without expert advice and assistance, is, in our opinion, absurd.



After careful consideration of the entire situation, we would respectfully recommend that a resolution be adopted, providing that a Commission of five be appointed, three by the Speaker of the House and two by the President of the Senate, to be known as the Western & Atlantic Railroad Commission, whose duty it shall be to make a thorough investigation of all the available tracts of land, suitable or which might be made suitable for use as switching, transfer and storage yards in handling the business of the State Road at Chattanooga; that such Commission be instructed to procure prices on all the available tracts and if possible, options from the owners thereof; that such Commission be authorized and directed to employ a competent Engineer, experienced in such matters to go over the entire Terminal situation at Chattanooga, and make an estimate of the amount of land necessary for present and future use as switching, transfer and storage yards, and also to make a survey of all available lands for that purpose offered to the Commission and an estimate of the cost of fitting each of the respective tracts for the uses intended; and that such Commission be directed to make a report of their findings to the Governor, in time to be transmitted by him to the next General Assembly.

We find that the State has not suffered the slightest loss by the failure of the Governor to purchase the first property. We have ascertained that that property can now be purchased by the

State if the Legislature so desires at the price for which it was offered a year ago.

We feel constrained to enter our protest against the action of the Committee in including in their report certain correspondence between Mr. Hooper Alexander and the Governor. This correspondence and the reference thereto by the Committee have no place whatever in their report. These letters addressed by Mr. Alexander to the Governor, were of an entirely private nature. Mr. Alexander at that time was not engaged in the discharge of an official duty, and neither the Committee nor this House has the slightest concern with such correspondence. Mr. Alexander was not authorized to represent the House of Representatives nor the State at the time the letters referred to were written.

We also feel constrained to protest against and earnestly deprecate, the intimation contained in the majority report to the effect that it would be useless for the General Assembly to take any action in reference to the matter at issue because the Governor would veto any bill passed or resolution adopted in respect to the matter in question. We respectfully submit that such an intimation is wholly unauthorized, is discourteous to the representative of a co-ordinate branch of our Government, and has no place in the report of a legislative Committee.

Respectfully submitted,

JOS. H. HALL.

EUGENE S. AULT,

MILLARD REESE,

R. H. BAKER,

WALTER CURETON,

D. C. PICKETT,

O. CALBECK,

BEN F. HILL,

BEN M. TURNIPSEED,

B. H. EDMONDSON,

J. J. McMAHAN,

J. P. ARMISTEAD,

T. N. BERRY.

#### MINORITY REPORT ON SENATE BILL No. 101.

*Mr. Speaker:*

The Committee on Railroads having had under consideration Senate Bill No. 101, and having reported back to this House recommending that the same do pass, as amended; we, the undersigned, beg leave to file this our minority report, and recommend to this House that the same do not pass as amended for the following reasons, to wit:

1st. The Railroads of Georgia have already under our law sufficient power to condemn any private

property for the purpose of building their railways and terminals wherever the public necessity requires it, and the public welfare is subserved.

2nd. This bill is in direct conflict with what has heretofore been the universal policy of Georgia, that is, to never condemn private property for private benefit, but only when it was for the public benefit.

3rd. It would be unjust and unwise to allow any railroad corporation to condemn one citizen's private property for the purpose of building a spur track over same for the benefit of some other private citizen.

M. L. COOK,

T. SHIRLEY,

M. S. JONES,

(Can not read one signature.)

## MINORITY REPORT

*Mr. Speaker:*

The Special Judiciary Committee have had under consideration House Bill No. 751, providing for the establishment of the City Court of Ellijay, Gilmer county, and have reported the same back with the recommendation that it do pass, but we, the undersigned members of said Committee, beg leave to file this, our minority report, to the action of said Committee in favorably reporting said bill, and urge

that the same do not pass upon the ground that there is no necessity for the establishment of said City Court.

This July 8th, 1910.

WILLIAM BUTT,

J. O. ADAMS,

C. H. PORTER,

S. A. BROWN,

L. W. JOHNSON,

J. O. SHEPPARD,

H. B. MOSS,

A. A. LAWRENCE.

*Mr. Speaker:*

We, the undersigned members of the Committee on Special Judiciary, beg leave to submit this minority report against the action of the Committee in unfavorably reporting Senate Bill No. 241, which authorized the creation of a City Court in the city of Ellijay, county of Gilmer.

Respectfully submitted,

H. J. FULLBRIGHT, Ch.

W. Y. ALLEN, V-Ch.

BEN M. TURNIPSEED,

R. H. LEWIS,

JOHN F. REDDING,

S. L. DRAWDY,

J. H. ALLEY,

W. C. HOWELL.

*Mr. Speaker:*

We, the minority members of the Committee on Constitutional Amendments, respectfully dissent from the majority report of the Committee on Constitutional Amendments, acting unfavorably upon Senate Bill No. 197, placing Solicitors-General upon a salary and therefore file this, our minority report, thereon.

Respectfully submitted,

R. H. LEWIS,

J. S. DAVIS,

M. L. JOHNSON,

R. H. BAKER,

W. S. WIGHT,

HOOPER ALEXANDER.

*Mr. Speaker:*

We, the undersigned members of the Committee on General Judiciary, beg leave to submit this minority report on House Bill No. 1010, and respectfully urge that the same do not pass, as its passage at this time, in our opinion, would be unjust and unfair to the people of the Atlantic Circuit.

Respectfully submitted,

F. H. MACFARLAND,

C. T. GUYTON.

*Mr. Speaker:*

As a member of the Committee on Special Judiciary, I beg to dissent from the recommendation of a majority of said Committee, which is unfavorable to the passage of House Bill No. 331, and file this, a minority report, favoring the passage of the bill, and recommend that it do pass.

H. H. CHANDLER.

*To the Honorable Speaker of the House of Representatives:*

The undersigned members of the Committee on Constitutional Amendments hereby file a minority report to the action of said Committee in reporting

adversely, and recommending that Senate Bill No. 23, to abolish the office of County Treasurer in this State do not pass.

The reasons therefore being said bill failed of recommendation by a low majority with small attendance. Said office as at present conducted in a large part of the counties amounts to a mere formality and is obsolete and useless, and under present conditions a county depository bank could and would perform the duties without cost, thereby saving to the people of the several counties of the State several hundred thousand dollars per annum, now paid in commissions.

The undersigned submit that the effort to abolish this office has in the past resulted in several rulings of the Supreme Court and causing the several parties at litigation great cost. That at present there are in several of the counties of this State local bills limiting the fees of said office to merely nominal sums, and being local bills in conflict with the general laws on the subject.

That information of the objectors is that in others the office is held and run for on a platform specifying that this officer will only ask nominal sums and waive his right to full compensation, thereby showing a further demand of the people for a reduction of a useless fee system for an obsolete office.

Objectors submit that in view of the frequent needed issues of bonds for public improvements, and



the present enormous fees to be paid to this officer, for a mere bagatelle of service the continuation of the office is and will be a great hardship upon the taxpayers who should be allowed to keep all the money possible in their own pockets.

Wherefore this minority report is filed, and objections raised to the findings of the Committee in said matter.

C. H. BEASLEY, of Lee,

J. J. E. ANDERSON, Bulloch

MEADOWS, of Telfair,

R. G. MITCHELL, Jr.

*Mr. Speaker:*

We, the undersigned members of the Committee on General Agriculture, beg to submit the following report: The Committee has had under consideration House Bill No. 465, being a bill "to regulate the sale of commercial fertilizers, so as to require the manufacturers thereof to print the amount of 'filler' upon the sacks, etc.," and it reports that the bill do not pass.

The report does not meet our approval and we respectfully dissent therefrom for the following reasons:

1st. The bill provides that guano manufacturers shall print upon the sacks the number of pounds of filler used per ton and the source from which it is made. We believe the farmer is entitled to this protection, for, if he is buying, hauling and distributing hundreds of pounds of cinders, brick dust, marl or any other filler, he should know it. We believe further that such branding would be educative to the farmer and would lead to more intelligence in the purchase of fertilizers.

2nd. The bill provides further that the manufacturers shall guarantee to the farmer each plant food ingredient. The present law guarantees a sum total of the commercial value of all the ingredients, but under it a farmer may buy one formula for his crops and get an entirely different composition, which contains the total commercial value, but not in the proportions to produce the results desired. We believe the farmers are entitled to the protection which the bill provides and we therefore pray that the House will disagree to the report.

Respectfully submitted,

McMICHAEL, of Marion,

T. PARKER,

F. G. BOOKER,

A. S. REID,

GRADDICK,

N. J. KIDD,

J. T. BELL,

J. M. WALTERS,

T. SHIRLEY,

N. W. SMITH,

C. E. CANNON,

J. W. COWAN,

J. O. PRICE.

### MINORITY REPORT.

*Mr Speaker:*

The undersigned members of your Committee on Education, beg to make minority report, dissenting from the Committee report, which is favorable to passage of Senate Bill No. 2, which provides for the election of County School Commissioners by the people.

In our opinion to elect County School Commissioners by the people, will bring the common schools of the State into politics, to the great injury of the cause of education.

Respectfully submitted,

H. J. FULLBRIGHT,

J. B. STUBBS,  
J. A. KELLY,  
FERMOR BARRETT,  
W. M. PARKER,  
T. H. MACFARLAND,  
F. G. BOOKER,  
C. E. CANNON.

*Mr. Speaker:*

The Committee on Education having reported that House Bill No. 221, should pass. The undersigned members of the Committee beg leave to file this the minority report and recommend that the bill do not pass.

W. J. KIDD,  
J. A. KELLY,  
T. J. HARRINGTON,  
R. P. MINTER,  
A. W. WOOD,  
J. W. BAILEY,  
JOS. T. KIRBY,  
T. R. TURNER,  
I. M. ENGLISH.

*Mr. Speaker:*

As members of the Special Judiciary Committee we dissent from the recommendation of the majority report on House Bills Nos. 11, 12, and 13. Being bills to put Solicitor's General on salary, which was an unfavorable report and file this a minority report and recommend that these bills do pass.

B. L. BRINSON,

Z. V. PEACOCK,

J. O. ADAMS,

M. C. TARVER,

J. W. COWAN,

B. H. EDMONDSON,

E. WOHLWENDER,

J. F. REDDING,

N. L. GILLIS,

S. T. ELLISON.

*To the Honorable Speaker of the House of Representatives.*

We the undersigned members of the Ways and Means Committee of the House of Representatives, hereby dissent from the report of the majority of

said Committee recommending that House Bill No. 193, to tax the cash surrender value of life insurance policies, do not pass for the following reasons:

Because 1st. The cash surrender value of said policy is and would in any appraisal of the estate of the owner be a part of the estate of the owner, be a part of the assets of said estate, and as such should be taxable and bear its own just proportion of taxes, as other personal property is required under the laws. For which we the undersigned file this minority report, and ask the passage of said bill.

Respectfully submitted,

RALPH BAKER,

L. G. HARDMAN,

R. P. MINTER,

J. S. DAVIS,

J. W. BAILEY.

*Mr. Speaker:*

Senate Bill No. 23, having come before the General Judiciary Committee for consideration, and a majority of the Committee having reported favorably, that is that said bill do pass, and we the undersigned having voted against such recommendation, beg leave to submit this our minority report, and

for reasons why said bill should not pass. The intention of the bill is to put a class of men and women upon the people as doctors without them having complied with the requirements of the standard now required by law in order to authorize persons to engage in the treatment of diseases.

Therefore we think it dangerous to elevate these people who are at best nothing more than nurses to the dignity of physicians, when in fact they are not.

Respectfully submitted,

H. B. Moss,

Member General Judiciary Committee.

*Mr. Speaker:*

A majority of the Special Judiciary Committee having reported that House Bill No. 81, do not pass. We the minority having voted adversely upon the consideration of this bill hereby beg leave to submit this our minority report.

We insist that this bill should pass in order that another Act may pass fixing some adequate compensation for jurors in justice courts.

Respectfully,

H. B. Moss,

Member Special Judiciary Committee.

*Mr Speaker:*

A majority of the Special Judiciary Committee having reported House Bill No. 518, adversely, that is that it do not pass. We the minority having voted adversely to the majority, hereby submit this our minority report, and for reasons why said bill should pass, jurors in justice courts are made up from the same list as are juries in the Superior Courts, and as the law now stands they have practically no compensation.

Respectfully,

H. B. Moss,

Member Special Judiciary Committee.

*Mr Speaker:*

The General Judiciary Committee having this bill under consideration and having reported the same favorably.

I alone dissented and beg leave to submit this minority report.

(a) Because the said bill is dangerous in that it is not for the public good that a class of men calling themselves doctors when in fact they are not, should



be allowed to practice their avocation upon an unsuspecting public.

Respectfully,

H. B. MOSS,

Member General Judiciary Committee.

*Mr. Speaker:*

We the following members of the Railroad Committee beg leave, as the minority of said Committee to report favorably, House Bill No. 481, and recommend that the same do pass.

UPSHAW,

SHEPPARD,

WIGHT, of Grady.

*Mr. Speaker:*

We the undersigned members of the General Judiciary Committee do submit the following minority report on House Bill No. 127.

We do report that in our opinion said bill should pass.

June 23, 1910.

BERRY VINSON,

SAM F. GARLINGTON,  
BEN M. TURNIPSEED,  
H. S. WHITE,  
H. J. FULLBRIGHT,  
S. L. DRAWDY.

*Mr. Speaker:*

We the undersigned members of the General Judiciary Committee, beg leave to submit a minority report on House Bill No. 292, same being an Act to make it a penal offense to charge more than 12 per cent. interest and beg leave to submit while a majority of the Committee voted to recommend that said bill No. 292, do not pass, yet we a minority of the Committee voted for the recommendation that said bill do pass, and we therefore as a minority do hereby report said bill and do hereby recommend that said bill do pass.

Respectfully submitted,

FAIRCLOTH,  
TURNIPSEED,  
DRAWDY,  
MILLER,  
MOSS.

*Mr. Speaker:*

We the undersigned members of the Special Judiciary Committee, beg leave to submit the following minority report:

We recommend that House Bill No. 66, being a bill to amend an Act of 1897, so as to extend the right to condemn an easement in the waters of others etc., do not pass.

The bill is a general bill and its sole object is to permit a certain corporation to condemn the property of another corporation in Columbus, Ga., and to adjust differences between said corporations, which we deem to be a matter for the courts and not for the Legislature. The bill is far reaching and by passing it we may enable one company to do a great wrong to another. Futhermore, from the state of facts submitted, we are not satisfied that there is any public exigency which justifies such legislation.

Respectfully submitted,

B. M. TURNIPSEED,

M. E. POPE,

W. T. TUGGLE,

J. H. ALLEY,

J. H. ROBERT,

C. H. PORTER,

M. C. TARVER,

H. B. MOSS.

Mr. Stubbs, Chairman of Committee on Enrollment submitted the following report:

*Mr Speaker:*

Your Committee on Enrollment have examined, and found properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit:

An Act to prevent the mending or keeping of tools for safe cracking etc.

An Act to cede lands in Walker county to the United States for a government road.

An Act to regulate the sanitary condition of certain hotels.

An Act to regulate manner of selecting official county newspapers.

An Act to amend an Act to create a Board of Commissioners of Roads and Revenues for Turner county.

An Act to amend Act approved August 23, 1905, amending Section 2388, Code 1895, relative Building and Loan Associations.

An Act to repeal Act creating City Court of Fayetteville.

An Act to amend the charter of city of Madison.

An Act to amend Act to establish City Court of Sylvester.

An Act to incorporate town of Ranger

An Act to amend charter of Decatur.

An Act to provide for fixing salary of Treasurer of Harris county.

An Act to amend incorporating town of Milan.

Also the following resolutions, to-wit:

A resolution to widen Peachtree Street in city of Atlanta.

A resolution to authorize city of Atlanta to build certain viaducts over the right of way of W. & A. Railroad.

A resolution to pay Auditor and Stenographer in matter of investigation, Keeper of Public Buildings.

A resolution urging passage in Congress of National Appalachian Reserve.

An Act to increase the efficiency of the inspection of fertilizers and feedstuffs.

An Act to authorize Mayor and Council of Marietta to call bond election.

An Act to establish City Court of Barnesville.

An Act to amend an Act providing for election of County School Commissioners by the people.

An Act to incorporate town of Pine Park.

An Act to authorize the publication of certain Georgia reports.

An Act to authorize Trustees of Georgia State Sanitarium to establish training school for nurses.

An Act to incorporate the town of McIntyre.

An Act to amend an Act creating City Court of county of Calhoun.

An Act to create a new charter for city of Dublin.

An Act amending charter of Willacoochee.

An Act to amend charter of town of Riverdale.

An Act to amend charter of city of Waynesboro.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The President of the Senate has appointed the following Senators as members of the Commission to receive offers for old Governors Mansion property and looking for new site etc., (in accordance with House Resolution No. 295.) Messrs. Mathews, McCollum, and Jackson.

Mr. Stubbs, Chairman of the Committee on Enrollment submitted the following report:

*Mr. Speaker:*

The Enrollment Committee have examined and find properly enrolled, duly signed and ready for delivery to the Governor the following Acts of the House, to-wit:

An Act to amend Act to establish City Court of Eastman.

An Act to prohibit pistol carrying except under certain conditions.

An Act to appropriate \$35,000.00, to Georgia Normal and Industrial College.

An Act to amend Act to prescribe duties and powers of Board of County Commissioners of Roads and Revenues.

An Act to create a Board of Commissioners for the city of Fort Gaines.

An Act to incorporate town of Oglethorpe.

An Act to authorize county authorities in certain counties to collect taxes quarterly or semi-annually.

An Act to incorporate city of College Park.

An Act to amend charter of town of Kite.

An Act to create a new charter for town of Luthersville.

An Act to appropriate \$11,363.37 to supply deficiency in the Public Building Fund.

An Act to repeal Act creating county court of Morgan county.

An Act to amend Act establishing Public Schools for Ocilla.

An Act to consolidate Acts incorporating town of Bowden.

An Act to authorize town of Hogansville to establish a system of water works.



An Act to authorize city of Marietta to issue bonds if bond election so declares.

An Act to incorporate city of Sale City.

An Act to amend appropriation Act so as to provide for salary of the Stenographer to the State Bank Examiner.

An Act to revise Act incorporating the town of Cumming.

An Act to amend Act to establish City Court of Fitzgerald.

An Act to authorize certain counties to employ a nurse for county jail hospital.

An Act to repeal Act to incorporate the town of Boynton.

An Act to appropriate \$15,000.00 to the Georgia State Sanitarium for treatment of tuberculosis.

An Act to incorporate the city of Commerce.

An Act to create a new charter for town of Statham.

An Act to authorize certain counties to pay costs in criminal cases to the proper officials.

An Act to provide a new charter for town of East Point.

An Act to amend Act incorporating town of Austell.

An Act to regulate preparation of live stock for market in Worth county.

An Act to amend Act incorporating town of Norcross.

An Act to amend Section 982, Code of 1895, so as to add Edison to list of State depositories.

An Act to amend Act to create a new charter for city of Marietta.

An Act to amend charter of town of Doerun.

An Act to incorporate Oakhurst, DeKalb county.

An Act to abolish City Court of Calhoun county.

An Act to amend Act to establish City Court of Swainsboro.

An Act to fix salary of County Treasurer of Murray county

An Act to amend Section 194, Volume 3, Code of 1895, relative to larceny after trust.

An Act to provide for electing Solicitor of County Court of Putnam county

An Act to amend laws relating to City Court of Savannah.

An Act to prevent chasing or killing of fox during certain seasons in White county.

An Act to prevent shooting, trapping or destroying partridges, doves or other game birds in county of Carroll for a period of two years.

An Act to incorporate town of Carnegie.

An Act to create a new judicial circuit.

An Act to provide for municipal election to determine question of local taxation for school purposes.

An Act to amend Act establishing City Court of Washington, Wilkes county.

An Act to amend an Act to incorporate city of Edison.

An Act to amend Act creating City Court of Oglethorpe.

An Act to incorporate town of Sycamore.

An Act to incorporate town of Ellenton.

An Act to provide for qualifications of managers of election in towns and cities of this State.

An Act to require Board of County Commissioners of Lowndes county to have streets in incorporated towns worked.

An Act to require Telfair county officers to give bond in surety company

An Act to amend County Court Act so far as same applies to Charlton county.

Also the following resolution of the House, to-wit:

A resolution to appropriate \$281.25 to pay balance past due salary to assistants to State Librarian.

A resolution to refund J. C. Rogers \$210.00 on bond of Eddie Harris.

A resolution to make appropriation to meet deficiency in printing fund.

A resolution to submit plans of building on campus of North Georgia Agricultural College at Dalton, to the Governor.

A resolution to pay stenographer C. B. Weatherby.

A resolution to provide for bringing up the unfinished business of the House and Senate.

A resolution to provide for purchase of certain Georgia Reports.

A resolution to authorize State Librarian to furnish reports to certain City Courts.

Mr. Stubbs, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

Your Committee on Enrollment have examined and found properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit:

An Act to amend Section 5261, Code of 1895, relative to witness fees.

An Act to regulate running of automobiles, etc., in this State.

An Act to appropriate \$35,000.00 for State School of Technology.

A bill to protect persons furnishing material and labor for public works.

An Act to incorporate city of Helena.

An Act to create a new charter for town of Worth.

An Act to authorize sale of certain soft drinks in Young Harris.

An Act to amend Act to fix term of office of Commissioner of Pensions.

An Act to confer powers of trust companies on certain corporations.

An Act to regulate recording of executions on Superior Court dockets.

An Act to reincorporate town of Camak.

An Act to amend charter of town of Avalon.

An Act to amend Act to prevent adulteration of food.

An Act to regulate employment of minors in messenger service.

An Act to amend Act to create Board of County Commissioners for Washington county.

An Act to create a new charter for town of Baconton.

An Act to incorporate town of Dearing.

An Act to repeal Act to establish City Court of Sylvester.

An Act to authorize Gwinnett county to issue bonds for public roads.

An Act to require certain counties to pay costs in criminal cases to proper officials.

An Act to amend Act establishing school system in and for town of Louisville.

An Act to amend an Act establishing school system in and for town of Louisville.

An Act to amend Act incorporating town of Mitchell's District.

An Act to repeal Act amending charter of Barwick.

An Act to amend Section 982, Code of 1895, so as to add to list of State depositories.

Mr. Stubbs, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment has examined and find properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to-wit:

An Act to provide a new charter for the town of East Lake.

An Act to create a new charter for the city of Albany.

An Act to amend the charter of the town of Kingston.

An Act to amend the charter of St. Marys.

An Act to amend the charter of LaFayette.

An Act to create a system of public schools in the town of Senoia.

An Act to incorporate the town of Candler.

An Act to amend the charter of Buford.

An Act to provide for certain contingent expenses.

An Act to adopt and make of force the Code of laws prepared by Jno. L. Hopkins.

An Act to consolidate and amend Acts to incorporate town of Marshallville.

An Act to require County Tax Collectors to keep a record in the form of a cash book.

An Act to amend an Act to provide for local tax district schools.

An Act to abolish the City Court of Newton.



An Act to amend Act to incorporate Hapeville.

An Act to provide for registration of voters prior to municipal elections in Savannah.

An Act to amend Act to create new charter for Atlanta.

An Act to amend Section 671, Code of 1895, Volume 3, relative to wrongful sale of mortgaged property.

An Act to authorize County Commissioners to create a Board of Examiners of Stationary Engineers.

An Act to provide for establishment of certificates of stock of corporations in lieu of lost certificates.

An Act to amend an Act to revise and consolidate Acts incorporating Americus.

An Act to amend Section 574, Volume 1 of the Code of 1895.

An Act to authorize County Commissioners of Bibb county to issue bonds for water purposes.

An Act to create a Board of County Commissioners for Irwin county.

An Act to incorporate the town of Berlin.

An Act to create a Board of County Commissioners for Madison county

An Act to provide for municipal elections to determine the question of local taxation.

An Act to amend an Act to create a system of public schools for Marietta.

An Act to authorize an election in town of Comer for bond issue.

An Act to consolidate the laws to incorporate the city of Griffin.

An Act to incorporate the town of Lake View.

An Act to prevent the removal of personal property from this State held under conditional purchase sale.

An Act to incorporate town of Durand.

An Act to amend an Act to create the new charter of city of Newnan.

An Act to create a new charter for the town of Dexter.

An Act to amend the charter of the city of Nashville.

An Act to reincorporate the town of Kirkwood.

An Act to create the City Court of Madison.

Also the following resolution:

A resolution to appoint Commissioners relative to receiving offers for the present Executive Mansion and looking for another site, etc.

Respectfully submitted,

J. B. STUBBS, Chairman.

Hon. Jno. N. Holder, Speaker of the House, in declaring the House adjourned *sine die*, addressed the following farewell remarks to the members.

*Gentlemen of the House:*

Our legislative destination is reached. For the time being, at least, we have run our legislative course, but it is for the constituency of each member to determine whether that member has fought a good fight and has kept the faith.

Last year, when you first assembled in this hall, you selected me to preside over your deliberations. No man was ever more sincerely appreciative than myself of the honor bestowed upon me at that time. As long as my Master permits my existence there will abide within my heart a sentiment of profound gratitude to each of you for the confidence reposed in me.

“The monarch may forget the crown  
That on his head so late has been;  
The bridegroom may forget the bride  
Was made his own but yestere’en;  
The mother may forget the babe  
That smiled so sweetly on her knee;  
But forget thee will I ne’er Glencairn,  
And all that thou hast done for me.”

When I was chosen as your presiding officer I declared to you that I had no enemies to punish and no special interests to serve. To you, gentlemen of the House, I submit the question whether I have complied with that declaration and have kept that promise. As your presiding officer it has been my earnest endeavor to be always at my post; to faithfully perform the duties imposed upon me; to be kind and courteous to each member and considerate of his delicate sensibilities; to know the rules of the House; to fairly and impartially enforce them; do not abuse the great power of presiding officer, but to use it cautiously and wisely for the best interests of the State. I thank God, gentlemen, I can look you in the face and declare with all the earnestness of my soul that I have not used the great power you conferred on me to further my own political or selfish ends, or the political fortune of any candidate or any political faction. I have known no faction.

The impression has gained credence over the State that this Legislature has spent a major portion of

its time in factional contests, but analyze the votes taken by this House on the most important questions considered this year, and no factional line up is manifest. On the Income Tax Resolution; Compulsory Education, the Anti-Lobby Bill, Biennial Sessions, Bureau of Labor, Education Measures, Special Appropriations, and other very important questions, there was an obliteration of the line of political division. Any declaration to the contrary will not be borne out by the votes of the members of this House as recorded on these proposed measures. A study of the votes of the members of this House can not fail to convince an impartial and unprejudiced mind that the members of this body were influenced, not by narrow, factional nor party spirit in their official conduct, but were influenced by a desire to do what they sincerely believed to be for the best interests of this State. Neither has this been a do-nothing Legislature. No House at a session of fifty days ever passed on more bills than were passed on by the session which will in a few moments come to a close. Many bills failed either by cause of an adverse report from Committees or by defeat in one branch of the General Assembly. Sometimes it is to the best interests of the country not to enact too many bills into laws. Sometimes no legislation is the best legislation. It is not always laws that are needed to correct some evil or to ameliorate the condition of a people; but frequently the cause of complaint is due to a lax enforcement of the laws that already exist. This enforcement of the laws, how-

ever, is not a pertinent question for discussion on this occasion, but is merely mentioned.

While some very important bills have failed to receive the requisite Constitutional majority, yet some measures of great magnitude have been written on the statute books of Georgia by this General Assembly. What are some things this Legislature did? It provided for a new Code; for the pension of Confederate veterans and widows of a certain class; for the better support of that great eleemosynary institution, the Georgia State Sanitarium; for the extermination of black root in cotton; for a more perfect analysis of fertilizers; for the better equipment of some of our educational institutions; for county high schools; for the better collection of taxes; for cleanliness in boarding houses and hotels; for the protection of hotels against dead-beats; also passed a bill to regulate the running of automobiles; a bill authorizing county boards of education to borrow money with which to pay teachers their salaries; a bill giving money with which to fight the "great white plague," and last, but not least, a resolution ratifying the amendment to the Constitution of the United States authorizing the collection of an "Income Tax." These and many other bills have been considered and passed by this General Assembly. When this year's taxes are collected the treasury of the State will not be in bad condition. This information is furnished by the Chairman of the Committee on Appropriations. (Here Chairman Jones arose and said. "The expenses of the State

this year will be about five millions three hundred thousand dollars, while the revenue will be about five millions eight hundred thousand dollars.”)

The statement of the Chairman indicates that at the end of the year the treasury will not be depleted, and that our revenue this year will exceed our expenditures about a half million dollars. That is not a bad record.

This House may not have done all it could have done, nor all it should have done, but it need not be ashamed of the record it made.

Gentlemen, allow me to congratulate you upon your attendance on the sessions of the House. There has not been a day when the roll call has not shown a quorum present. The average attendance has been about one hundred and fifty members. This shows that several members were absent. The average number of absentees is about the same as in the past. The attendance has been good considering there are about eight members of the House who are candidates for re-election, and considering also the proximity of the primary for nominating members of the Legislature. It is unfortunate that the State primary should be held about the same time as the session of the General Assembly. If possible the date of the primary or the convening of the General Assembly should be changed.

Gentlemen of the House, the time for adjourning *sine die* has arrived. I would be untrue to the im-

pulses of my nature did I not, in words of earnest emphasis, express the promptings of my heart for every consideration shown me as your presiding officer. No doubt erroneous decisions have been rendered, but you did not consider them of sufficient magnitude to correct them. Each one has been good to me, and not one member has uttered one word in public debate or private conversation to me that harrowed my feelings or wounded my heart. For this I am so grateful.

I do not think it out of place to commend the efficient officers of this branch of the General Assembly. Each one has performed well his duty. If there are burdens to the position of presiding officer, those burdens have been made lighter by these splendid officials. The pleasures of the position have been intensified by their faithful service and commendable conduct. At all times the efficient clerk and his courteous and capable assistants, have been ready with answers to any questions concerning the status of any proposition before the House. These men are industrious, clever and faithful.

Earnest have been my endeavors to so conduct myself that when the gavel is rapped to-night for the last time and this House declared adjourned *sine die*, that the members of this body can truthfully say that their presiding officer has always been courteous to them and that he has not done one unfair thing or one unclean act.



Gentlemen of the House, we are about to quit this assembly hall and return to our respective homes. Never again will we all meet together on earth. This is a melancholy thought to me. Right now my heart is aching because we must part. I love each one of you with such intense devotion that I regret to say good-bye, but it must be said. No more will we ever meet on earth. As I look up, however, through space and the ethereal regions, and see the blue and vaulted sky with its panorama of brilliant luminaries and indescribable beauties and glories, I know that beyond sky and stars and sun and moon, there is a House not made with hands eternal in the Heavens. One sweet day I hope each one of you will be members of that House, where your membership will be eternal, and where there is a presiding officer who makes no errors and whose election was made sure before the foundation of the world.

I now declare this House adjourned *sine die*.

The hour of 10:45 o'clock having arrived the Speaker announced the House adjourned *sine die*.

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**TO THE**

**HOUSE JOURNAL**

**FOR THE**

**YEAR 1910**



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